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APPOINTMENTS

26 pages of top jobs. Section 3

Critical judges to meet Howard

Tougher jail terms 'mean more murder'

By FRANCES GIBBS AND RICHARD FORD

THE Home Secretary's tougher sentencing policy will lead to more murders as rapists and other violent criminals decide that it is not worth leaving their victims alive, one of Britain's most senior judges said yesterday.

Adding his voice to a chorus of judicial dissent, Lord Justice Rose also criticised Michael Howard's proposals for minimum sentences for some offences as an undesirable fetter on judges' discretion to tailor the punishment to the crime.

At the same time, Lord Donaldson of Lynton and Lord Ackner renewed their criticisms of Mr Howard's sentencing ideas, which will be outlined in a White Paper in the Spring. And on Saturday, Lord Justice Rose is expected to spell out their misgivings to Mr Howard in person at a private meeting with some thirty judges, police and probation officers.

Such meetings are held regularly by the Criminal Justice Consultative Council, which Lord Justice Rose chairs, to discuss problems in the justice system. The Home Secretary has been invited to this Saturday's gathering in Northampton, and judges are expected to make their views known.

Yesterday Lord Justice Rose told *The Times*: "Mandatory life for a second offence of rape will mean fewer pleas of guilty and more murders. You're not going to plead guilty if you commit an offence which carries a mandatory life sentence. And so far as more murders are concerned, rapists will think that they may as well kill their victims — there's no point leaving them alive if the sentence is the same."

The Appeal Court judge,



Lord Justice Rose: "fewer guilty pleas"

who made his comments yesterday in a personal capacity, also complained that Mr Howard's plans for minimum sentences for repeat burglars and drug dealers "clearly fetter judges' discretion in an undesirable way".

Lord Donaldson agreed. Speaking on BBC Radio 4's *Today* programme, he described Mr Howard's plans as "fairly extreme" and said that "penal policy should not be 'formed on the hoof'". Sentencing decisions in cases of serious violent crime were taken by professional judges and he regretted any attempt to limit their discretion.

"If their hands are tied so that — whatever the circumstances — they are obliged to pass some minimum sentence, then I think there will be injustices and I think in due course there will be a public outcry," he said.

Lord Ackner, who has retired as a law lord, added that the Home Secretary knew that his proposals would not reach the statute book before the election. "Mr Howard is playing politics with the administration of justice. He is saying

to the Opposition: 'Look how tough we are on crime. You are not as tough as we are and thereby hoping to achieve political advantage'."

Reform campaigners also added their voice to the sentencing protest. Paul Cavadino, chairman of the Penal Affairs Consortium, said he had not spoken to a single judge in favour of the plans.

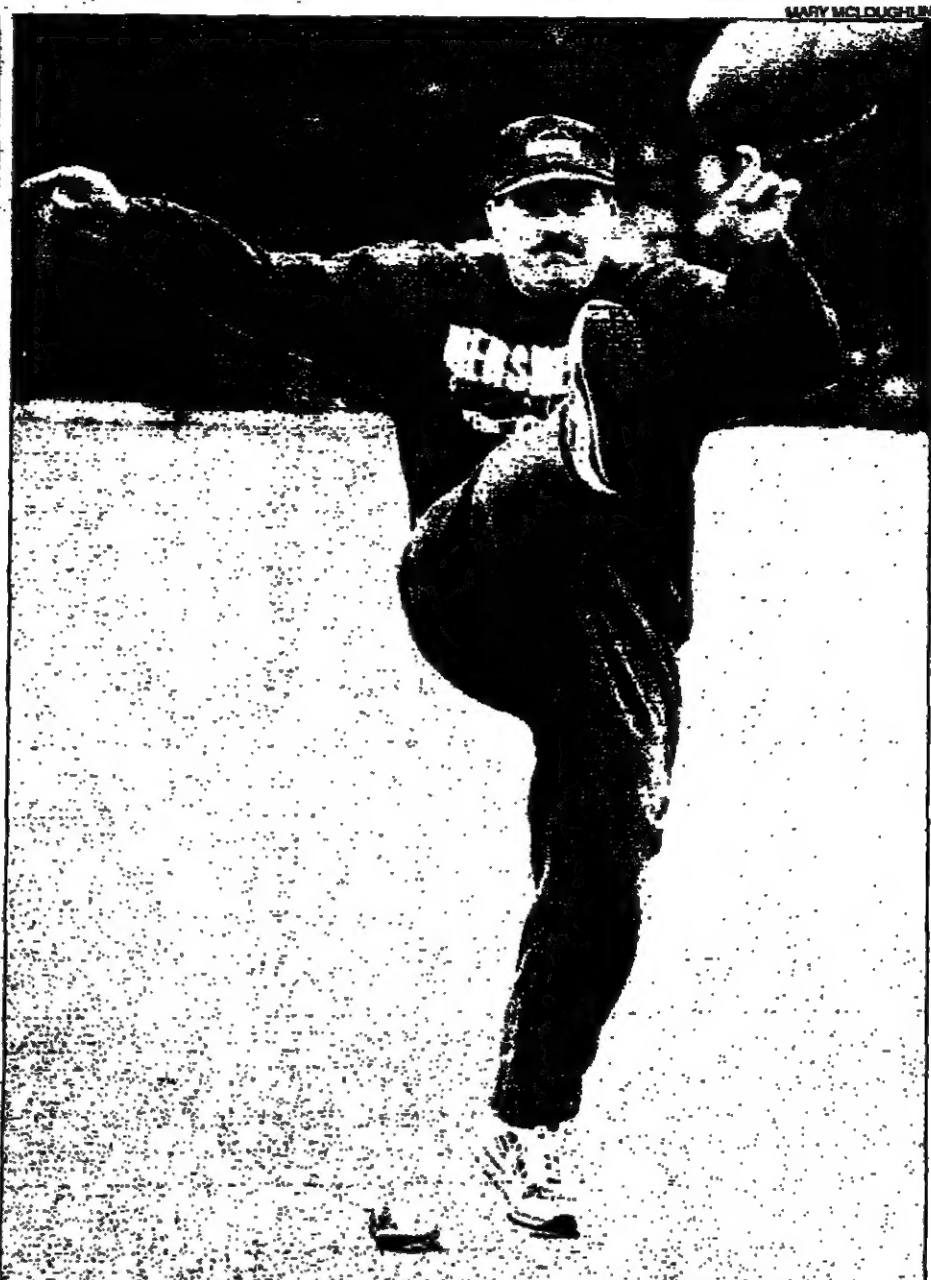
Senior judges are right to oppose the proposals, not simply because they restrict judges' discretion, but because they will create serious injustices," he said.

But Mr Howard insisted that his main aim was to protect the public. "As it stands at the moment, if someone isn't sentenced to life imprisonment they can be — and are — released, even when everyone knows that there is a great risk that they will go out and commit another rape or another violent offence," he said. "My overriding objective is to protect the public and to help build a safer Britain."

Mr Howard also said that he intended to get the proposals on to the Statute Book before the election but acknowledged that that might not prove possible.

The plans could lead to a huge rise in the prison population — some penal groups say by as many as 30,000 — and officials are already looking at electronic tagging of minor offenders and fine defaulters.

They are also studying whether electronic monitoring could be used instead of short jail terms and for some motoring offences, including drink-driving. A pilot scheme linking tagging to a curfew order is operating in Norfolk, Greater Manchester and Reading.



Michael Volino practises a 35-yard kick in New York after lessons from a professional

The million-dollar kick

FROM QUENTIN LETTS IN NEW YORK

A NEW YORK man will win \$1 million this weekend if, during the half-time break at an American football final, he executes a single place kick.

Michael Volino, a 35-year-old, matricule police sergeant, won the opportunity in a draw run by the Hershey chocolate company. He will have just one chance at the 35-yard kick during the half-time interval at Sunday's Pro Bowl game in Hawaii. If the ball floats between the posts, Sergeant Volino will pocket the money. If it goes wide, he will

return to the 103rd Precinct in New York's Queens borough.

The trip to Hawaii means he will miss a promotion examination for which he has studied for a year. The exam is held rarely, but his colleagues were in no doubt that he should head west.

"Every guy I work with said to go for the million," said Sergeant Volino, who has confessed to nervousness about kicking the ball in front of millions of viewers.

He has taken lessons from a coach, who has advised him

to take a short approach and address the ball with a toe-banger stroke. Rob Andrew, England's model goal kicker, recommended a slow, deliberate run-up. "Fix your eyes on the piece of ball you intend to hit. Don't look up, someone else will tell you if it's over."

Sergeant Volino said: "I'm very accurate, but only from 15 yards." At a practice before reporters he succeeded (just) with one kick out of 12. Before flying to Hawaii yesterday he confessed that his kicking leg was a little sore.

Porton Down LSD trial was farce for soldiers

By MICHAEL EVANS, DEFENCE CORRESPONDENT

SOLDIERS who volunteered to take part in secret chemical warfare trials in the 1960s were dosed with LSD tablets that totally incapacitated normally fit and highly disciplined units.

Some officers could not control their men because they were laughing uncontrollably, according to Ministry of Defence documents that were declassified yesterday.

The trials were carried out by the Ministry's chemical defence experimental establishment at Porton Down in Wiltshire and were intended to determine how LSD and other hallucinatory drugs affected troops and whether there was potential for using the drugs in an aerosol form against an enemy.

The 11 files from Porton Down on the trials were released yesterday by the Public Record Office at Kew in Surrey. They describe three operations codenamed Moneybags, Recount and Small Change. None of the volunteers were told what drugs they were being given; the trials were monitored by doctors and all were given medical and psychiatric screening before the tests began.

In one test, a drugged troop commander who was alternately laughing and retching, cried out: "This is getting too much. Why doesn't somebody who's sober take charge?"

Earlier, the same troop commander had accused a radio operator of insubordination because he was "talking glibly and whistling down the handset". The officer did not realise that the soldier's behaviour was due to the drugs.

During one operation in November 1965, 13 Royal Marine commandos were given doses of 200 micrograms (a microgram is a millionth of a gram) of LSD (lysergic acid diethylamide). Five minutes after taking the drug, they became progressively more

disorganised and incapable of taking orders. LSD is one of the most potent drugs known: a "normal" dose would be 25 to 150 micrograms.

Major J. L. Rickard, who monitored the exercise, concluded that the whole unit would have been annihilated by modest enemy action within an hour. The men, he said, were "out of touch" and unable to use equipment.

None of the Service personnel who took part in the experiments appeared to suffer lasting damage. Most were able to function normally after 24 or 48 hours, although many admitted to feeling depressed.

One junior officer found difficulty in controlling an entirely unjustified hilarity?

In one of the files it is acknowledged that only one subject in the history of medical experiments with hallucinatory drugs had died, and that was an elephant which had been given 300,000 micrograms of LSD.

In Operation Recount in September 1966, 16 men from the 37th Heavy Air Defence Regiment took part in an experiment that involved an hallucinatory drug called T3456. One junior officer was afflicted with frequent bouts of laughter. He complained that one of his drugged men made his laughter even worse whenever he approached him.

"The junior officer found difficulty in controlling an entirely unjustified hilarity in spite of the presence of his commanding officer," one technical file from Porton Down remarks. During the same experiment, the battery

Continued on page 2, col 5

£900 windfall for millions

Alliance & Leicester is to seek a £25 billion stock market flotation next year, a move that will mean an average £900 payout for its three million qualifying saving and borrowing members. Page 23

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Let Nolan decide on pay, says Labour

By ARTHUR LEATHLEY AND ALICE THOMSON

THE Labour leadership last night announced that they will accept any changes to Commons salaries recommended by the Nolan Committee.

Some 300 MPs have backed a parliamentary motion calling on Lord Nolan's committee to review MPs' and ministers' pay and to recommend changes within three months. At Prime Minister's Questions today, Mr Major is expected to face a barrage of cross-party pressure to rule the issue of pay to Nolan. Ann

Taylor, the Shadow Commons Leader, said that Labour would accept any recommendations of the Nolan Committee, insisting that it was time for salary increases to be taken out of MPs' hands.

However, Paddy Ashdown, the Liberal Democrat leader, criticised Mr Taylor for wanting to increase their pay and said that the current amount was "a perfectly acceptable sum". Many MPs say that the annual ritual of voting through their own salary rises has



MPs bicker, page 10
Leading article, page 19

55 killed in Sri Lankan lorry blast

FIFTY-FIVE people were killed and up to 1,500 were injured when a bomb destroyed the heart of Sri Lanka's capital yesterday (Vijitha Yapa writes).

Three armed men jumped from a moving lorry outside the Central Bank in Colombo and began firing at random. The lorry, packed with 440lb of explosive, crashed into the entrance of the bank, a three-story complex only 500 yards from President Bandaranaike Kumaratunga's office.

Tamil attack, page 15

Royal snooper 'ashamed'

By EMMA WILKINS

A RADIO enthusiast who allegedly taped the Duke of Edinburgh speaking on a mobile telephone said last night that he was ashamed of what he had done.

Neville Hawkins, 47, who lives three miles from Sandringham, the Queen's Norfolk estate, is said to have recorded the Duke speaking to a woman friend about family matters shortly before Christmas.

Yesterday Mr Hawkins, who has been suspended from his job, was questioned by police for 90 minutes. Intentionally intercepting a

telephone call can lead to a maximum fine of £5,000 or two years imprisonment under the Interception of Communications Act (1985).

Norfolk police said last night that Mr Hawkins, a hospital maintenance worker, had contacted officers about the alleged tape. "The constabulary can confirm that a man has contacted them regarding the taping of an alleged telephone call made by His Royal Highness the Duke of Edinburgh. Police inquiries are continuing," a spokesman said. Mr Hawkins, who lives



Hawkins yesterday, suspended from job



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After the sharks, a clammy invertebrate scuttles in for the kill

If anything can scupper the Tory highback, it is David Shaw (C. Dover). Ever since, two years ago, Tony Blair began surfing a wave of media adoration that Mother Teresa would envy, your sketchwriter has been wondering what could be more nauseating — and looking forward to the moment when surf hits reef.

Finally, last week, the reef. And, after the reef, the answer to my question: a spectacle just as unsettling — the circling of the Tory sharks. Then, yesterday, scuttling up the Dover beach, something clammy, invertebrate and quite unspeakable: Mr Shaw.

Come back, Tony, all is forgiven! David Shaw somehow succeeds in being both menacing and craven at the same time. Pasty-faced and wearing the perpetual smirk of the classroom sneak, he reminds us of the sort of boy who could jab you under the desk with the sharp end of his compass, then point at you when the teacher asks who has yelped. When an Opposi-

tion front-bencher in trouble at the dispatch box, Shaw leads the barracking. When a Cabinet Minister wants a backbench crawler to lob him an easy six, Shaw leads the bowling. He even cast aspersions on the Queen Mother's judgment when her devotion to the white cliffs of Dover led her to express alarm at their possible self-off.

David Shaw has the apparent courage of those with a hide so thick they honestly don't know how their behaviour looks. Yesterday he led opposition to a Ten-Minute Rule Bill (a piece of political kite-flying) put forward by Labour's John Spellar (Warley W) to regulate the funding of political parties.

A reasoned case can be made against the reforms Spellar proposed. Shaw did not make it. He twisted his speech into a series of re-

marks, each ending in "just another example of Labour doing one thing..." at which point, like a pantomime dame beneath half a dozen cushions, chairs and cupboards, and if you wait for a complete hush, you can hear the gentle, regular tick of half a dozen timebombs. At least two of these are in the Scottish corner, and they relate to the Opposition's forthcoming manifesto pledge of a de-

question, tax-raising parliament. The one bomb is what the Tories call the "tartan tax" on Scotland. The other is what the press call the Midlothian Question: why another elected assembly for an already over-represented Scotland, and nothing for England?

Everybody knows these questions are potentially calamitous for Labour. Nobody has the least idea how calamity can be averted. But because Tory MPs and propagandists keep banging on so mindlessly on the subject, journalists hesitate to get in on the act. Englishmen like Mr Shaw are sent by the Tory whips to shrivel "Tartan tax, tartan tax" like mindless parrots, to which ministers reply "Absolutely right, absolutely right." In these circumstances, the rest of us hang back.

Just because a mindless parrot can repeat a question, however, does not mean that the question is unimportant. The Scottish Labour Party is losing its self-confidence and, yesterday afternoon, you could sense it.

Kinnock bails out Iberia for £440m

By A Staff Reporter

NEIL KINNOCK, Europe's Transport Commissioner, announced nearly £440 million of public aid to bail out Spain's national airline Iberia yesterday — but insisted that Brussels was committed to phasing out airline subsidies.

Mr Kinnock said he had approved the move only after slashing the amount of aid to the airline and winning strict concessions to ensure no trade distortion with competing national airlines elsewhere in Europe. Nevertheless, the approval of another massive amount of money to ailing Iberia is bound to irritate British Airways, which has gone without state intervention and believes it is time Brussels made the rest of the industry face up to open-market competition.

The deal is Mr Kinnock's first major political decision in his 12 months as Transport Commissioner and at a news conference in Brussels he was determined to emphasise that he has granted the aid only to save Iberia from technical bankruptcy on the basis of stringent commercial criteria.

He has cut back the scale of investment by almost half and forced Iberia to shed business as part of its streamlining efforts. Mr Kinnock has spent months negotiating with the airline and agonised over a detailed study by independent experts before concluding that some subsidy could be allowed to help with restructuring.

Hurd says Europe won't be ready for monetary union

By Philip Webster, Political Editor

DOUGLAS HURD supported the postponement of the European single currency yesterday, warning that an attempt to press forward on the present timetable could jeopardise the European Union's achievements and threaten division.

The former Foreign Secretary, regarded as one of the leading pro-Europeans of the Thatcher and Major era, is the latest European statesman to cast doubt on whether monetary union could ever happen. He urged the German Government to propose that it should be delayed.

"I do not know whether it will ever happen," he said. "I do not think it will happen in 1999... I do not think it will work out in the next three or four years." He added: "The Germans are in the best position to say that this was a perfectly honourable and good idea, that its day may come but that the timing of it now is just not working out."

Mr Hurd's outspoken remarks came as the British European Union official sacked this month for his attack on monetary union delivered a savage parting shot at Brussels, claiming that he had been treated like a suspected criminal.

Bernard Connolly, writing in *The Times* today, suggests that he was sacked from his job as head of the unit moni-



Connolly: sacked for a "political crime"

toring the European monetary system for a political "crime" and that his offence had been to get things right, as the past few months had shown.

He claims that he has been subjected to a smear campaign and says that his sackings gives no encouragement to those who hope for greater openness and realism on European monetary issues.

The past few weeks have seen an explosion of comment in practically every EU country, from politicians, bankers, academics and industrialists, on the impracticality and dangers of the Maastricht process. Are we now seeing in Western Europe the beginnings of an awakening on monetary issues to match the earlier political awakening to the East?

Unless the glimmerings of realism on the Continent, so far seen only on the fringes of power, penetrated to the core, the whole of Western Europe will find it hard not to sink further into an economic mire and a period of political resentment.

Mr Hurd, interviewed on *The World at One* on Radio 4, said: "There is a danger that if the single currency is pressed forward on the present timetable it will begin to unravel the things we have already achieved, like the single market. Instead of being a leap forward to unity it might turn into a retreat into rather bad-tempered division." He opposed a softening of the convergence criteria and said the Germans would never agree to it.

Conservatives keeping a careful eye on Brussels noted yesterday that Britain's opt-out from the social chapter exempted British firms from proposed EU laws guaranteeing fathers as well as mothers at least three months off work after childbirth.

Ministers meanwhile tried to make their hypocrisy charges against Labour cover its European policy. Malcolm Rifkind, the Foreign Secretary, told Tony Blair to back British industry by jettisoning Labour's commitment to the social chapter.

Bernard Connolly, page 18



Clare Short leaving the NEC meeting yesterday

Labour loses 90 members over Harman's choice

By Jill Sherman, Political Correspondent

NEARLY ninety members have resigned from the Labour Party over Harriet Harman's decision to send her son to a grammar school, it emerged last night.

Labour officials said that 89 members had written to the party's headquarters during the past week saying they were resigning over her decision. Several backbenchers said they had received letters from members threatening to quit and predicted more resignations. However, party officials later said that 1,101 members had joined the party in the past week, matching the recent average weekly rise.

The figures were disclosed as the Labour Party, which has about 365,000 members, decided immediately to ditch its policy of all-women shortlists. The party's National Executive Committee (NEC) decided not to appeal against a tribunal ruling that its all-women shortlists for parliamentary seats breached sex discrimination laws.

The decision followed legal advice that the party could not be confident of winning an appeal. A statement from the Labour leadership also argued that the time-consuming appeals process was a "distraction" in the run-up to a general election. However, the NEC agreed to set up a working group to examine ways of increasing the total of women MPs.

Eleven constituencies which were drawing up all-women shortlists will have to rerun their selection processes. The NEC has urged nine constituencies it hopes to win to draw up a new timetable for selection immediately, so that they can have candidates in place as soon as possible.

The remaining 11 seats still to select candidates will wait until the working group reports next month. Officials claimed that all 35 women who had been selected under the quota system, and endorsed by the NEC, would remain in place.

Officials said the working group, headed by John Prescott, the deputy leader, would look at ways of encouraging those still selecting candidates to choose women. However, they emphasised that any ditched from the NEC, or any new mechanism, would breach the tribunal ruling.

Ms Harman's decision to send her son to a grammar school was also raised at the NEC during Mr Blair's report to the meeting. Ms Harman decided to repeat some of her speech to the Parliamentary Labour Party in which she regretted the embarrassment she had caused the party.

In a 40-minute debate, NEC members agreed that the party had to write and improve its presentation before the general election. Robin Cook is understood to have emphasised the need to "hone down and shape up" policy and presentation.

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WORLD LEATHER

LSD troops

Continued from page 1

sergeant major was so severely affected that after the exercise he removed most of his clothes and sat on his bed "wearing only his underclothes and a seraphic smile". Two-and-a-half hours later he complained of feeling "tensed up" and he was sent to see a psychiatrist.

In *Operation Recount*, the object was to see whether there was any interaction between drugged and undrugged men. The experiments showed that the control group of undrugged soldiers did have a positive influence on those who had been given LSD.

However, in the end the Porton Down experiments appeared to produce no practical results because the authorities decided that LSD in aerosol form would not be effective. Evidence showed that absorption of LSD in the air was poor.

When only small doses of LSD were given, the soldiers were able to maintain reasonable discipline, but over several days their capabilities became gradually more impaired. One file records that 13436 "is a most powerful incapacitor even of highly trained and motivated infantry". With a dose of 200 micrograms, communication between the soldiers became "chaotic".

One file says: "By the time the recipient (of information) had been woken up enough to realise someone was talking to him, the speaker had forgotten what he was supposed to be saying." Men walked aimlessly around the exercise area, exposing themselves to enemy fire "in total disregard for cover".

NHS trust chiefs receive 30% rises in pay explosion

By Jeremy Laurance, Health Correspondent

PAY rises of up to 30 per cent have been awarded to chief executives of NHS trusts amid signs of a salary explosion at the top of the health service. The average rise was 7.6 per cent in the year to last March, more than twice the 3.2 per cent received by nurses, according to a survey.

Six chief executives had rises in total remuneration of more than 20 per cent, taking the highest paid — over £100,000, including bonuses and benefits but excluding pension contributions.

The figures come after disclosures that consultant salaries are leaping above NHS pay scales as trusts compete for specialists in short supply. Psychiatrists, anaesthetists and paediatricians are commanding premiums of up to £20,000 above the NHS maximum of £52,440.

Unison, the largest NHS union, said: "The public will regard many of these increases, bonus payments and other perks as quite unjustifiable in relation to the treatment handed out to hard pressed health staffs."

Philip Hunt, director of the National Association of Health Authorities and Trusts, said the salaries of most trust chief executives were modest by comparison with the private sector. "It's a very tough job. Where there have been large rises, it is partly to do with a judgment that they have taken on more responsibility."

The highest paid NHS chief executive identified in the survey by Incomes Data Services is Mark Rees of Bromley Hospitals NHS Trust, in southeast London, who received £101,000 in 1994-95.

The survey, covering 250 trusts, about three quarters of the total in March 1994, omitted some such as Guy's and St Thomas's in London, the largest in the country, because they did not return copies of their annual accounts. The total earnings of Tim Matthews, chief executive of Guy's and St Thomas's, were £107,000 in 1994-95.

The highest pay rise of 29.3 per cent was awarded to Jeremy Taylor, chief executive of Grampian Healthcare NHS Trust, taking his total earnings to £97,000.

The highest paid director, the survey found, was Dr Willie Harris, medical director of St Mary's Hospital, London, and a consultant in genito-urinary medicine who earned £120,000 in 1994-95. Dr Harris said: "I am quite delighted if I am at the peak of the pay levels but I think you will find other medical directors who are higher paid than I am. My pay is an amalgam of my NHS salary, a higher level merit award and management pay."

Royal tape

Continued from page 1

In Ingoldsthorpe, near King's Lynn, was taken to his local police station yesterday in a police car, but officers emphasised he was not being arrested and was accompanying them voluntarily.

After he was named in yesterday's *Sun*, Mr Hawkins was suspended from duties at the Queen Elizabeth Hospital, King's Lynn. Richard Venn, chief executive of the King's Lynn and Wisbech Hospitals Trust, said: "As a hospital trust we expect absolute confidentiality and high standards of discretion from all our staff."

Mr Hawkins, who is married to a nurse and has two children, is alleged to have tried to sell the tape for £50,000 to *The Sun*. The newspaper said that it had not paid him any money.

A scanner costing £200, possession of which is not illegal, can be used to intercept signals from old-style analogue mobile telephones. Modern digital telephones are more difficult to track.

The Duke was said to have been using an analogue telephone because of poor reception at Sandringham.

□ An industrial tribunal hearing (report, leading article, January 19) concerning a male typist found unequivocally, and not on a technicality, for the respondents, Office Angels.

□ The Right Rev Francis Walsley is the Roman Catholic Bishop of the Forces, not the Anglican bishop (report, yesterday).

Gummer blocks Royal Opera move

By Marcus Binney

THE Royal Opera House has suffered a new setback in its search for a temporary home during rebuilding at Covent Garden. John Gummer, the Environment Secretary, yesterday announced a public inquiry into the plan for a temporary opera house beside Tower Bridge, which secured funding this week.

This put to an end hopes of completing the temporary venue before Covent Garden closes in September 1997 for its £24 million renovation, and makes it unlikely to be used by the Royal Opera and Royal Ballet companies. The plan was initially threatened when the second potential tenant of the Tower Bridge building, the Disney Corporation, withdrew. But Credit Lyonnais had found a speculative investor willing to take the risk of finding future tenants.

Clive Timms, financial director of the Royal Opera House, said last night: "Credit Lyonnais told us this week they were in a position to go ahead with the financing of the project. Some £26 million was potentially available to cover the acquisition of the land and the costs of constructing and fitting out the building."

"We are very disappointed, but not surprised. The scheme had the full support of Southwark council and there were no formal objections. But our planning advisers say Mr Gummer's intervention could delay the project 18 months."

The proposal had the support of the Royal Fine Art Commission and English Heritage. In a letter yesterday, however, Mr Gummer told the council he wished to take the planning decision on the proposed opera house himself "in view of the sensitivity of the site next to Tower Bridge and the Tower of London". The promoters of the scheme are now likely to consider withdrawing it.

La Bohème anniversary, page 32

Coroner praises Ecstasy victim's family for their 'stoicism and strength of character'

Parents tell inquest of frantic fight to save Leah

BY MICHAEL HORSNELL

THE parents of Leah Betts told an inquest yesterday of their frantic attempts to keep her alive as she slipped into a coma after taking an Ecstasy tablet.

Paul Betts, a former policeman, and his wife Janet sat holding hands as they told the inquest in Chelmsford, Essex, of Leah's collapse after taking the tablet at her 18th birthday party. Mrs Betts said she knew something was wrong when she saw that Leah's eyes were enormous, "like something out of a horror film".

Dr John Henry, consultant physician at Guy's Hospital's national poisons information service told the inquest that, in some cases, people who took Ecstasy found that it reduced their ability to deal with water through their kidneys. Water was retained in the body, the blood diluted and the brain swelled. Leah, who had drunk several cups of water quickly, was effectively brain-dead within 15 minutes of first feeling ill.

Dr Henry said: "If Leah had taken the drug alone she might have survived. If she had drunk the water alone she might have survived. But the effect of the drug and drinking the water were almost certainly responsible for the kidneys not passing out the water and caused the blood to be diluted and the brain to swell."

Mr Betts said that he had



Leah Betts collapsed after drinking water

collected Leah, an A-level student, from her Saturday job on the afternoon of the party and had returned with one of her friends, Sarah Cargill, to the family home at Latchingdon, Essex. "She was a bit on edge waiting for people to come," he said. "They didn't arrive until 8.30pm and from then on the party went on perfectly normally."

Sarah said in a statement that she and Leah had obtained four Ecstasy tablets from a friend. They had taken the drug together on about four previous occasions but were told that the latest pills were stronger.

The girls decided to swallow a whole tablet each at about 7.45pm as they waited for

guests to arrive. "I felt different from how I had on previous occasions, but I still felt fine," Sarah said.

During the course of the evening Leah had drunk a Malibu and a Bacardi Breezer, but steered clear of her usual drink of vodka. Sarah said she saw Leah smoking a marijuana cigarette during the course of the evening and that Leah had said on a couple of occasions that she had wanted to wet her lips with water.

At the end of the evening Leah went upstairs, complaining of feeling thirsty. She asked Sarah to accompany her to the bathroom, where she drank six or seven cups of water, one after the other, before screaming out that she had a "terrible headache and a funny feeling in her legs".

At about 12.30am Leah's younger brother, William, called Mrs and Mrs Betts, who were watching a video in the kitchen, to come to Leah's assistance. Mrs Betts, Leah's stepmother, said: "I went upstairs and I found her leaning over the wash basin. She turned round and when I saw her eyes I knew there was something wrong."

Leah vomited then collapsed with her legs wrapped around the door. "At this time she was still coherent; you could still hold a conversation with her," her father told Dr Malcolm Weir, the coroner. "We tried to put her into the

recovery position to lessen any damage she would cause herself."

They carried her to her bedroom. "She was clawing and screaming at me to help her," Mrs Betts said. She was suffering excruciating stomach and head pains, saying her skull felt as if it was on the point of exploding.

Mr Betts said: "She was screaming at the pain in her legs and the pain in her stomach and screaming, 'Mum, please help me.'"

Mrs Betts said: "I had just got through to ambulance control, and Leah suddenly stopped breathing. I shook her, it was like everything was in slow-motion."

Mr Betts said he pumped his daughter's chest until she regurgitated, forcing him to stop. Her heart continued to beat and his wife kept on with resuscitation until the ambulance and police arrived.

Dr Weir recorded a verdict of accidental death, caused by non-dependent abuse of Ecstasy. At the end of the 90-minute hearing, he said: "I would like to pay tribute to the stoicism and strength of character of Mr and Mrs Betts in the past two months. I can only hope that all their efforts to bring to the public forum the dangers of Ecstasy will be listened to by people who expose themselves to this dangerous drug. Even if it prevents one more fatality Leah's death will not have been in vain."



Paul and Janet Betts outside Chelmsford Coroner's Court yesterday

Celine police in plea to hauliers

BY BILL FROST

DETECTIVES hunting the killer of Celine Figard, the French student whose body was found in woodland just after Christmas, have approached 22,500 haulage firms asking for help. Mlle Figard, 19, was last seen at Chieveley service station on the M4 in Berkshire, accepting a lift from the driver of a Mercedes lorry.

Detective Chief Superintendent John McCammon, of West Mercia police, said that letters being sent to firms contained descriptions of the lorry and driver. "I am appealing to haulage operators to study these and to let me know of any individual who may be of interest to us. We have a DNA profile of the man we are seeking and have started obtaining samples from lorry drivers."

However, hauliers claimed last night that police had failed to take up offers of help from the industry. One said: "A lot of us were keen to co-operate but the police failed to come back to us. It's more than possible that one of those who wanted to help may have vital information that could lead detectives to the killer."

Police rejected any suggestion that detectives were slow to react to offers of help and said that the inquiry had initially been in the hands of another force. "Her disappearance was treated as a missing person case until we found the body."

Thief says partners murdered yacht crew

BY BOB GRAHAM IN ANTIGUA

A RAID on a British millionaire's yacht which led to the torture and murder of four people was yesterday described to the High Court in Antigua by one of the killers.

Donaldson Samuel was one of the three men who slipped aboard the 65ft ketch as it was moored overnight at the island of Barbuda. He has admitted manslaughter and was giving evidence as a prosecution witness.

Rex Mackay, QC, for the prosecution, described the killings of Ian Cridland, 33, the skipper; Thomas Williams, 22, the deckhand; and Kathy and Bill Clever, the guests, as a "savage and sadistic execution". Samuel, 23, has changed his original plea of not guilty to murder, to an admission of guilt to manslaughter. He claimed he and Mellanson, Harris, 23, and Marvin, Joseph, 22, planned "to get some money at gunpoint. It was all Marvin Joseph's idea."

Samuel told the court how he searched the Challenger's cabins and found a video camera and a small amount of cash. "At that time I was on my own. The crew were sitting around the table when I last saw them, still alive. I was ready to go back because we had finished what we'd come for. Then when I went back in they were all dead. Shot by Mel and Marvin."

Samuel yesterday denied in a heated exchange with Clement Bird, for the defence, that he had changed his plea because he wanted to escape the death sentence. Samuel claimed it was because he played no part in the killings. The trial continues.

Policewoman was gold courier in £3.5m VAT scam

BY TIM JONES

A POLICE officer was found guilty yesterday of helping her father, a former policeman, in a £20-million gold smuggling ring. Lucie Gilmore, 25, acted as a courier, during at least four trips to Belgium with her father to buy bullion.

Gilmore, who like her father, Michael Gilmore, 53, served with the West Mercia force, will be sentenced to four weeks' time. Her father pleaded guilty at the start of the trial at Knightsbridge Crown Court, west London, of conspiring with others to evade £3.5 million of VAT on the importation of gold. He will be sentenced tomorrow.

The scam, masterminded by Jeevan Kanda, a jeweller from Birmingham, involved buying three tons of gold in Belgium and Luxembourg, where only up to 1 per cent in tax was payable, and smuggling the ingots, valued at £8,000 each, into Britain in cars.

The gold was sold by jewellers adding VAT at 17.5 per cent and netted the gang £3.5 million, which has been recovered.



Gilmore helped father to smuggle gold bullion

Although Customs identified the gang leaders, Gilmore, a probationary officer, was unwittingly responsible for the arrest of herself and her father.

The pair came to the attention of the authorities only after Gilmore admitted that threats by a former boyfriend to expose her gold smuggling activities should be reported to police. He was arrested for attempted blackmail but the story he told police about one of their colleagues and a former member of the force left them amazed, the court was told.

In evidence, Gilmore, of Bridgnorth, Shropshire, said she had gone with her father to the Continent but only to keep him company. However, customs investigators found that on the trips she collected gold for smuggling.

Michael Gilmore admitted 24 smuggling runs during which he brought back over a third of a ton of gold. He said he became part of the ring because he was facing financial ruin after the collapse of his business. His partner, David Fox, a solicitor, who was also involved with the gang, committed suicide.

Surrinder Kumar, a jeweller, of Sutton Coldfield, was also found guilty and will be sentenced later. Police are still trying to find Jeevan Kanda.

As she left court after being granted bail, Gilmore, who has a young daughter, said she intended to appeal.

The law on gold in Britain has been changed. VAT is no longer paid on bullion but only from the point at which it is turned into jewellery. Customs say this has almost entirely eradicated gold smuggling fraud within the EU.

One word from coach puts all 11 players on the spot

BY JOE JOSEPH

WHEN every boy in the school football team and the substitute is called Chris, as they are in Alocer School's under-12 side, you may have hit upon a statistical bludgeon or maybe even some mysterious community where parents just run out of imagination when faced with a foot. You have certainly landed yourself with a coaching headache.

For supporters of the school in Melksham, Wiltshire, cheering from the sidelines is a doddle. But for the coach it makes backing tactical orders to the players confusing at best.

Pete Mowday, the head teacher, quickly learnt what made Graham Taylor turn angry when he was England

boss. The under-12s' first match was a prickly school derby against local rivals Forest and Sandridge.

Mr Mowday, unthinkingly, yelled: "Chris - you take the corner!" Five Alocer players raced off. Did he not like that?

Every time someone shouted "Chris, Chris", a flock of Christophers crisscrossed the field like scattering billiard balls.

An unhelpful complication was that the visiting team also contained five Christophers, which made it a very confusing game, according to Chris Needham, 10, Alocer's left back. "At the beginning of the game a few people called out 'Chris' for a pass, but every-

one quickly decided it wasn't a very good idea."

Chris Czelecki, 10, the midfield dynamo, said: "As soon as someone got the ball everyone else shouted 'Chris, Chris'. It was a bit confusing." Chris Miles, also 10, the keeper, said: "I shouted 'Chris' really loud once and about six people stopped and turned round." The match ended in a 0-0 draw.

Mr Mowday, the coach and referee as well as head of the 405-pupil school, said: "The boys done well - each Chris deserved his place. It is quite remarkable that we should have so many Christophers at the school and that so many of them should be good at football."

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Expert reveals hands-on approach

Degas owners are shaken by use of fingers and thumbs

BY DALYA ALBERGE
ARTS CORRESPONDENT

MUSEUM curators and collectors have been astonished by the discovery that Edgar Degas, the 19th-century master, painted dozens of his most important late works with his fingers and thumbs.

They don't particularly like to be told their pictures were painted with thumbs," Richard Kendall, the leading Degas scholar, said. His findings will be published by the National Gallery to coincide with an exhibition on Degas opening on May 22.

"It has shocked collectors," he said. "You should see their faces. They crumple. They don't like it. It sounds a very 20th-century thing to do."

"Fingerprint" pictures include *Dancers*, *Pink and Green*, a masterpiece from the Metropolitan Museum in New York, *Woman at her Bath*, from Toronto, and *Blue*.



Degas: a self-portrait

Dancers, from the Musée d'Orsay, Paris. In that picture, he said, fingerprints can be detected across much of the surface, particularly in the background foliage. "Once you see them, you can't see anything but," he said.

Although painting is literally a hands-on activity, Mr Kendall said this aspect had been overlooked by scholars.

He made the discovery while researching *Degas Beyond Impressionism*, an exhibition of the artist's late works, for the National Gallery.

That this is the first important show devoted to this period would have surprised Degas's contemporary Renoir, who once said: "If Degas had died at 50, he would have been remembered as an excellent painter, no more. It is after his fiftieth year that his work broadens out and that he really becomes Degas."

Mr Kendall said that since the last Impressionist exhibition of 1886, Degas's career had been shrouded in mystery. "He virtually stopped exhibiting, allowed only close friends into his studio and it was even rumoured that he had become blind. Though he lived for a further three decades, the pictures and sculptures of this late period have remained an enigma, little researched and largely unknown to the general public."

Degas turned to the technique in the 1890s, when he was in his sixties. John Leighton, curator of 19th-century paintings at the National Gallery, said the research would transform an image of Degas producing exquisite pictures with delicate brushstrokes. After the initial shock, he said, people would appreciate that these pictures bore the most direct trace of the master.

Mr Kendall suggested that Degas might have been following the example of Titian, the 16th-century Venetian whom he is known to have admired. While Titian's contemporaries interpreted finger-painting as a sure sign that the master had finally lost his marbles, he said, Degas's imagination was fired by it. "He was a technical artist," Pissarro once called him: an "anarchist in art".

Others whose prints have been studied by art detectives include Turner. Mr Kendall said, however, that the extent to which Degas used his was unusual and he made no attempt to disguise them.



Heart surgeon sees double

Identical twins Rachel and Laura Boyce recovering yesterday after the same life-saving heart operation at Southampton General Hospital. The girls, aged three, were born with a heart murmur caused by a narrowing of the aorta, the main artery leading to the heart (Joanna Bale writes). Their condition was detected shortly after

they were born but surgeons decided to wait until they were older before operating. Robert Lamb, the consultant cardiac surgeon who performed the three-hour operations ten days ago, said: "It is extremely rare for

identical twins to have the same heart problem. Although they may look the same on the outside, normally twins will be different in their physiological make-up, but when we did blood and heart tests on Laura and

Rachel there was no way we could tell them apart."

The girls returned to their home in Tadley, Hampshire, yesterday. Lee Boyce, 30, their father, said: "They have been incredibly brave. Laura and Rachel do everything

together and can't bear to be apart. When they were in intensive care the doctors drew curtains around their beds but the girls made them pull them back so they could wave to each other."

Mr Lamb said: "If we had not done the operation they would have suffered serious problems and probably have died in their teens."

Parents sue health trust over death of babies in hospital

A HEALTH trust is being sued by parents whose babies died after an operation for a heart defect.

The actions follow the deaths of nine babies out of 13 who underwent the procedure at Bristol Royal Infirmary. The operation was performed on babies born with the two main blood vessels going into the heart transposed. The surgeons switched them back in a single operation. The babies, all under a year old, died in a five-year period to last March. The death rate was more than twice the national average.

The trust suspended the

procedure for 11 months and brought in a new medical team after concerns were raised. The results of an investigation were published yesterday, showing that from 1990 to 1995 the Bristol cardiac team's results were comparable with similar units elsewhere in Britain — except for the two surgical procedures that had caused concern.

Mr Robert McKinlay, chairman of the United Bristol Healthcare NHS Trust, said that a "small number" of parents were involved in legal actions. He declined to say if the trust would be contesting the claims. "All the children

operated on were all seriously ill," he said. "We will be discussing each case carefully and sympathetically with each family."

The trust has carried out 100 operations in a new unit at Bristol Children's Hospital. Previously, operations on children were part of the heart surgery unit at Bristol Royal Infirmary. Only two of the new team's operations involved the "switch" procedure and both were successful.

The board said it was confident that sufficient steps had now been taken to ensure a very high standard of cardiac surgery for children.

£1.3m award to father challenged by insurer

A FATHER who was awarded record £1.3 million damages for post-traumatic stress disorder after his two daughters drowned in an accident should not have received a penny, the Court of Appeal was told yesterday.

Peter Vernon's children died when a car driven by their nanny, Katherine Bosley, plunged into a river. Miss Bosley escaped but Mr Vernon and his wife, Prue, watched from the bank as rescuers tried to save Philippa, 7, and Theresa, 3. A friend of the girls also died.

A year ago Mr Justice Sedley said at the High Court that the accident in 1982 had

destroyed the marriage of Mr Vernon, 53, from Tetbury, Gloucestershire, changed his personality and left him a helpless shadow of his former self.

But the insurer of Miss Bosley, which is liable for the award, argued yesterday that Mr Vernon became ill not through witnessing the events but because of the grief that any parent would feel at the loss of much-loved children — for which no damages are recoverable — and subsequent events such as the collapse of his manufacturing company and a head injury suffered in a car accident.

The appeal hearing is expected to last ten days.



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Gummer's U-turn spells doom for the ruddy duck

By Nick Nuttall, Environment Correspondent

HUNDREDS of ruddy ducks are to be shot on lakes and ponds in Britain after a rethink by John Gummer.

Two weeks ago *The Times* disclosed that the Environment Secretary was to abandon plans to cull ruddy ducks after English Nature, his wildlife advisory group, gave a warning that it would be costly and might fail to achieve its objective of saving the Spanish white-headed duck from extinction. Mr Gummer was also worried that animal lovers would object.

But yesterday it emerged that Mr Gummer has overcome his reservations and decided to press ahead with the cull after being persuaded by conservation groups, led by the Royal Society for the Protection of Birds. They argued that a cull was needed to help stop migrations of ruddy ducks from Britain. Ruddies have been taking flight to interbreed with the threatened white-headed species in regions such as Andalusia, conservationists claim.

A Department of the Environment spokesman said: "Mr Gummer believes the public can understand that this is necessary to conserve the white-headed duck." The

Environment Secretary has written to Viscount Cranbrook, English Nature's chairman, ordering the cull as a priority. Mr Gummer told Lord Cranbrook that he wanted a two-year trial to start this spring.

Chris Harbard of the RSPB said yesterday: "We would have been dismayed if the decision had gone the other way. It would have thrown away three years of research. It would also have sent the white-headed duck to its death before we could have discovered whether we can save it."

The regional trial follows research into how many ruddies are in Britain, where they are and what methods are likely to control their numbers. Baz Hughes, head of species management and conservation at the Wildlife and

Wetlands Trust, said that during the winter up to a thousand ruddy ducks congregated on a handful of sites, including Chew Valley Lake in Avon, Blithfield reservoir, Staffordshire, and Rutland Water, Leicestershire.

In the breeding season, from early March, the birds split into pairs across large parts of the country. The main breeding sites are Llyn Penrhyn on Anglesey and one in the West Midlands. Tests have been carried out to see if egg pricking or shooting would be most cost-effective.

Shooting appears to be the best option. During the breeding season, males approach humans to defend their territory, making them an easy target. "One option might also be to catch birds on the nest and humanely destroy them," Mr Harbard said.

A few ruddy ducks were imported into Britain from North America 35 years ago but they have now grown to more than 3,500. Without action they could increase to more than 10,000 by the turn of the century.

Experts have linked the arrival in Spain of ruddy ducks and the emergence of hybrid ducks in Spain with the rise in the British population.



Ruddy duck faces cull



Masks may also make an environmental statement

Smog masks are breath of fresh air only for the fashion-conscious

By Nigel Hawkes and Nick Nuttall

CYCLISTS who wear anti-pollution masks are doing little more than making a fashion statement, a conference was told yesterday. The masks, also used by police officers, are unlikely to absorb the tiny particles from diesel exhausts or carbon monoxide.

The masks have become common on urban streets as the pollution has risen and cycling has gained renewed popularity. They are also worn by police on traffic duty and at busy events.

But Professor Michael Besser, chairman of the conference at the Royal College of Physicians, London, said: "They are a fashion accessory." Dr Robert Maynard, of the Department of Health, said: "There is no doubt that if you take a mask off after a fortnight the filter will be full of black stuff. Anyone will be glad they didn't breathe it in. But in my opinion it is unlikely to take out any of the small particles in pollution, and these are the ones we are worried about nowadays."

"This is simply a matter of physics. To take out the small particles you need a lot of energy, either force to sediment it out or pressure to filter it. All people are doing is covering their faces and breathing through these masks. There is certainly not



A Thames Valley officer on duty at Ascot

enough energy to remove small particles.

"The masks are also unlikely to remove carbon monoxide because it is a very unreactive gas and won't react with the mask."

Cycling groups said yesterday that the masks were also an environmental statement, driving home the point that the Government and councils needed to reduce pollution.

The London Cycling Campaign said: "Masks are very much a personal matter. Some cyclists think they work, others do not. The pollution should be dealt with rather than people being forced to wear masks."

The price of masks varies greatly. The cheapest costs

£4.95 and consists of sponges with a filter in the middle. The Respro Urban Survival City AntiPollution Mask, which costs £19.95, claims to conform to World Health Organisation guidelines on air pollution. It has a two-way valve for easy breathing and replaceable filters.

Some car manufacturers, including Ford, Vauxhall and Jaguar, now provide filters to limit the amount of pollution entering the vehicle.

The police do not have a set policy on smog masks. Thames Valley said last night that they were issued to officers on traffic duty at large public events, such as racing at Ascot. The Metropolitan Police does not issue masks for routine duties but officers who want to wear them may seek permission from their superiors. "Provided the masks are deemed suitable clothing they may be used as a sensible precaution," Scotland Yard said.

□ Helmets worn by cyclists may be equally ineffective. A report published by the Policy Studies Institute suggested the protection they provide has been exaggerated and could encourage cyclists to take risks.

The report said that nearly all deaths of cyclists occurred in collisions with cars and that the protection given by a helmet was "very limited in these circumstances".

Car advert to show gay kiss

By Alexandra Frean, Media Correspondent

THE first homosexual kiss in a British television commercial will be broadcast tomorrow night by Peugeot, the French car manufacturer.

The commercial, which will occupy the entire three-minute spot midway through *ITV's News at Ten*, features images including two men kissing on the mouth. It will be followed next month by an advertisement for Virgin Vodka, which features two young men kissing in a trendy bar.

Conservative MPs attacked advertisers last night for lowering standards of decency on television. Lady Olga Maitland, Tory MP for Sutton and Cheam, said that she found the notion of men kissing on television "in extremely bad taste" and questioned how it could be allowed.

Although lesbian kisses have featured several times on television, including in the soap opera *Brookside* on Channel 4, many in the industry believe that the public is reluctant to accept the sight of

two men kissing. The brewer Guinness is understood to have abandoned a plan last year to show a gay couple kissing because of concern about adverse public reaction.

Peugeot said the male kiss in its advertisement for the new 406 model was designed to be confused with a kiss of life. "We are saying, 'You can be whatever you want to be and, if you want to buy a car that expresses that, then buy a Peugeot.'"

Virgin Vodka, whose 30-second commercial will be screened first on MTV, the cable and satellite channel, said that the company wanted to appeal to all adults. "We are simply acknowledging that the gay community is a very important consumer group."

Mary Whitehouse, former president of the National Viewers' and Listeners' Association, said: "Quite honestly, if that is the only way they can find to advertise their products, then their products can't be up to much."

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Hot weather helped farms reap an extra £1bn last year

By MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

FARMERS earned £1 billion more last year than in 1994, partly because of the long hot summer. According to figures released by the Ministry of Agriculture yesterday, farmers' profits rose by 34 per cent from £3.015 billion to £4.027 billion.

The good weather produced one of the highest quality harvests for years at a time when prices were kept high by a worldwide grain shortage caused by droughts and poor growing conditions in many other countries.

Farmers' incomes have risen for four years in a row while the rest of the economy has been struggling out of recession. Arable farmers' earnings have more than doubled in real value since 1991.

Douglas Hogg, the Agriculture Minister, said yesterday that government policy had played a big part in improving farmers' profits. He said: "Low inflation kept down costs and continued low interest rates kept the industry's interest payments at about 40 per cent below their 1990 levels."

A much bigger factor, however, has been the combination of favourable weather and prices, with the 25 per cent depreciation of the pound since Britain's withdrawal from the European Union's exchange-rate mechanism in the autumn of 1992. The effect of the depreciation has been to raise the sterling value of EU farm subsidies by 25 per cent.

Last year arable farmers received £1.1 billion in direct cash grants from the EU

simply for putting crops in the ground. They received another £200 million for growing nothing on 12 per cent of their land under the set-aside scheme.

The bonanza is the paradoxical and unintended result of reforms introduced four years ago to reduce the long-term cost of the EU's common agricultural policy. These involved, among other things, a 36 per cent cut over three years in guaranteed cereal prices.

In fact, cereals were fetching higher prices last year than three years earlier, while the subsidies paid to British farmers to offset the (as it turned out) non-existent price cuts have risen steadily.

Ian Gardiner, director of farm policy at the National Farmers' Union, said: "Much of the extra cash is being ploughed back into farms. Investment in such things as stock and machinery had dropped to about £1.5 billion a year in 1991 but is now up to about £2.3 billion."

"This improvement was very necessary. It needs to be remembered that farm incomes, in real terms, are now just getting back to the levels of ten years ago before the depression of the late 1980s and early 1990s."

The good times should continue this year, but the rising price of imported items such as tractors and fertilisers is starting to bite. Pig and poultry farmers have seen their costs rise sharply. Many hill farmers still have net incomes of less than £10,000 a year.

Toad puts best hand forward to disprove doubters

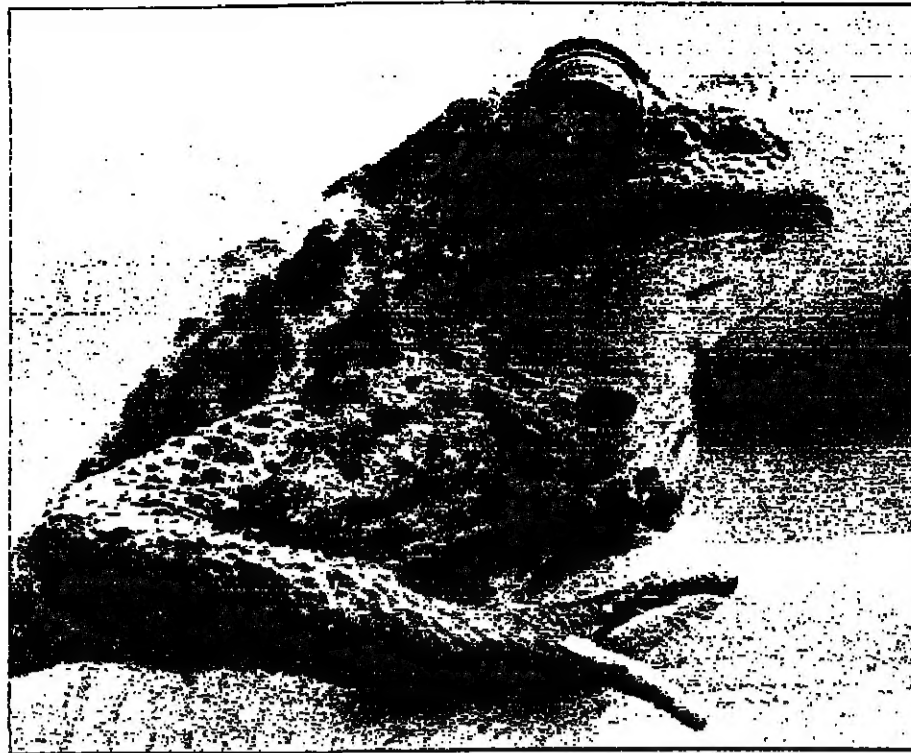
By NIGEL HAWKES, SCIENCE EDITOR

THE European toad is inclined to be right-handed, experiments by Italian scientists have shown.

The common toad, *Bufo bufo*, joins humans, monkeys and some birds in showing a preference for using one limb rather than the other. The finding of handedness in such a lowly creature could cast light on how such asymmetries evolved.

Dr Angelo Bisazza and colleagues from the universities of Padua and Udine, assisted by two Australian physiologists, put 24 European toads to the test by wrapping plastic balloons around their heads. They then watched to see which hand the creature would use to remove the balloon.

By a majority of 14 to 4, the toads favoured the right hand. The rest were equally at ease with either. In a larger group of 46 faced with



The common toad now joins humans and monkeys in favouring one limb

removing a piece of sticky paper attached in the area of their mouth or nose, 26 chose the right and ten the left hand, with the rest showing no preference.

Curiously, the South American cane toad did not show handedness when challenged with the sticky paper, but did when held upside down under water and then released. By 15 to 2, the cane

toads rolled to their left, using their right hand to control rolling to the upright position.

The team says in *Nature* that this is the first time that handedness has been detected in amphibians. But chickens have been shown to scratch the ground with their right feet, while mice and several species of primates also show preference for one

side rather than the other. The evolution of handedness has long been a puzzle. The evidence is that it begins to become apparent very early in embryonic life, and that it is linked with the fact that the brain itself is asymmetrical, with one side differing in structure and function from the other. Such brain asymmetries have been seen in the brains of frogs.

Intruder turns tail after alarm is raised

WHEN a woman arrived home late to discover her burglar alarm ringing she feared she had become the victim of a third break-in. The disarray in her sitting room, with ornaments smashed and a picture torn off the wall, strengthened her fears.

But after ringing the police in tears, Lorraine O'Neill came face-to-face with the intruder: a grey squirrel that had run amok after falling down the chimney.

Ms O'Neill, 41, lost jewellery, televisions and videos in two previous raids at her home near Warminster, Wiltshire. "It was terrifying going into the house thinking that the raiders might still be in there," she said. "It was only when I was on the phone that I noticed a pair of eyes looking at me: a squirrel was perched on the curtain rail."

PC Adrian Bawden said: "When we arrived the lady said she had already found the culprit. I reached for my handcuffs but then she pointed to the frightened squirrel." The animal escaped through a door before it could be apprehended.

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Lethargic anemone lives for 1,000 years

By NIGEL HAWKES, SCIENCE EDITOR

AMERICAN scientists have discovered that a sea anemone called *Gerardia* can live for more than a thousand years — if sitting on the sea bed eating whatever passes can be called living.

Dr Ellen Druffel, of the University of California at Irvine, used carbon-dating to establish the age of three *Gerardia* specimens found in the Bahamas. They were found at a depth of 620 metres and were brought to the surface by the American Navy's Alvin submersible.

Dr Druffel reports in the scientific journal *Geochimica*

et *Cosmochimica Acta* that the anemones had been around for between 1,500 and 2,100 years, which means they started life at the time of the Roman Empire. "I was astounded," Dr Druffel told *New Scientist*. "I figured that a lifetime of one to two millennia was just too long for a single animal."

The discovery could provide information about the past. The carbon in the anemone's skeleton comes from that trapped by plankton, so could provide an index of the productivity of the ocean over the past 2,000 years.

THE TIMES / DILLONS LECTURE

Richard Leakey and the Sixth Extinction

THE FIVE mass extinctions of species on the planet were all natural disasters. Speaking at a Times/Dillons lecture on Monday, February 12, chaired by Richard Dawkins, Richard Leakey, the Kenyan politician and renowned palaeoanthropologist and conservationist, will warn us that we are heading for a sixth.

Our capacity to exploit the world's resources beyond the point of natural renewal is leading us to the verge of a man-made catastrophe, he says. *Homo sapiens* could destroy entire species and trigger the sixth extinction.

The lecture marks the publication of Dr Leakey's new book (with Roger Lewin), *The Sixth Extinction: Biodiversity and Its Survival* (Weidenfeld & Nicolson, £18.99), and will be held at the Institute of Education, 20 Bedford Way, London WC1, starting at 7.30pm. Tickets at £10 (£7.50 concessions), which includes £3 off the price of Dr Leakey's book, are available by phoning 0171-915 6613, by faxing the coupon below on 0171-580 7680, or by sending the coupon with your remittance to: Dillons, 82 Gower Street, London WC1E 6EQ, where tickets can also be purchased.

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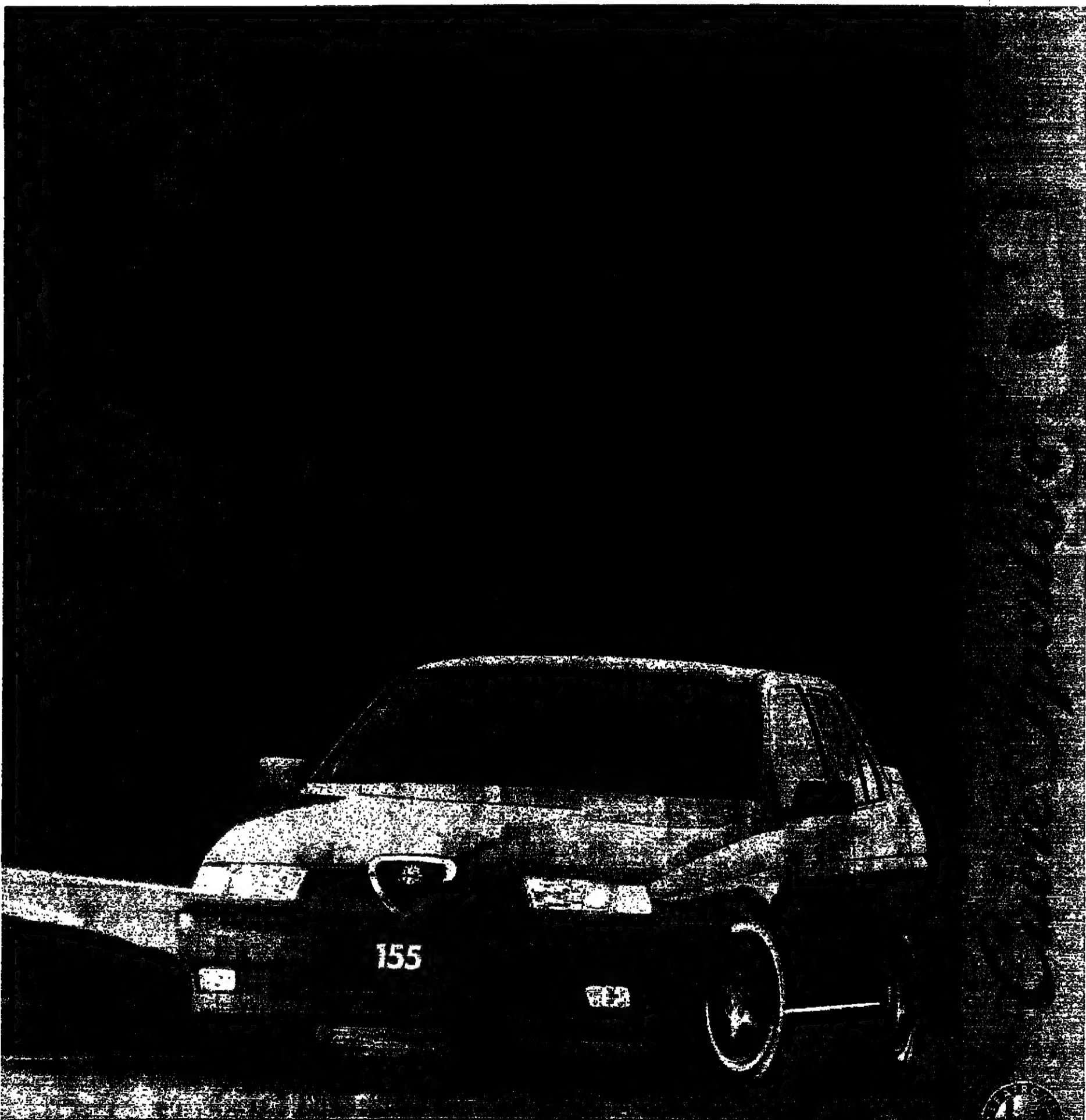
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Army to increase checks for explosives

By MICHAEL EVANS
DEFENCE CORRESPONDENT

THE Army is to increase the number of metal-detection searches for unexploded devices on Dartmoor after three children were injured, one seriously, in an explosion last year. The children were walking with their parents when they found a mortar that exploded when they threw it on the ground.

The most seriously injured was Jenny Worrall, 8, who had emergency surgery after shrapnel entered her chest and abdomen. Her brothers Gary, 10, and Ricky, 9, were also hurt. The family, from Ashburton, near Dartmoor, had been walking on the Great Mis Tor near Yelverton last June when the children came across a Second World War mortar. A board of inquiry set up by the Army, which has live firing ranges on Dartmoor, has now reported its findings and called for tougher safety measures.

One recommendation is to increase the number of co-ordinated searches using mine-detecting parties and metal detectors. Although regular checks are made on training areas, old mortars that had been buried sometimes find their way to the surface because of erosion.

Please shoot me within 24 hours, says the Buddhist monk who killed woman for £12

Backpacker's killer to be executed by machinegun

FROM ANDREW DRUMMOND
IN BANGKOK

THE Buddhist monk who murdered the British backpacker Joanne Masheder in a cave in Thailand was sentenced to death by firing squad yesterday.

The judge in Kanchanaburi, 80 miles west of Bangkok, recommended that no mercy be shown to Yodchart Suaphoo, 23, a drug addict. The condemned man replied: "Please kill me within 24 hours. Take me and shoot me at the mouth of the cave."

Yodchart's request is unlikely to be met. All executions in Thailand are carried out in Bangkok Prison, north of Bangkok, where 197 men are on death row.

The prisoner is chained to a wooden crucifix with his back to the executioner. Behind the crucifix is a white sheet on which a target is placed. The executioner uses a Blackmann semi-automatic machinegun.

As Yodchart was led from the court, he said: "I want to apologise to the family of this girl. I want to pay for my crime." He said he could not help himself because of his drug addiction. He had earlier told the court: "I am not drunk and not drugged today. I want the court to kill me to point out what I have done wrong."

The shaven-headed Yodchart wore the brown uniform of Kanchanaburi Prison. He was handcuffed and his legs



Prisoners are strapped to a cross before being shot

were chained together. Judge Somchart Thanayavichkul ordered his execution after one day of evidence, which was not contested. The sentence must still be confirmed by the Supreme Court and by the King.

Yodchart, who was disrobed at the Thamm Khaopoon temple in Kanchanaburi after being arrested for the killing, admitted murder, concealing Miss Masheder's body and destroying evidence of the crime. He told police he had offered to show Miss Masheder around when she cycled to the temple on December 10.

He said: "She was alone, a very beautiful girl. I took her around the first cave and then offered to show her other caves near by. She came with me. We were above a cave looking down and I suddenly said,

'Look there.' She looked down and I pushed her, grabbing her bag and camera."

"She fell 30ft, then I climbed down after her. The cave was full of rubbish. I pushed her body to the side so she could not be seen from above and climbed out. She had very little, just 500 baht [£12] and a camera."

Later, in a reconstruction — during which Yodchart was attacked by a mob of about 200 people — he told police that he killed Miss Masheder by smashing a rock over her head after she tried to stop him from stealing her bag.

He also admitted the rape of an Austrian tourist, Inge Holecsek, 45, three days before the murder, although this was not one of the charges. The court was told that he had a long criminal record and had

served two and a half years for the rape of a Thai woman.

The death sentence comes in a week when Thailand resumed executions by firing squad after a nine-year break. Last Sunday a Thai man found guilty of two murders, including a policeman, was executed in Bangkok.

Miss Masheder's body was found in the cave near Yodchart's temple, which straddles the former Burma-Siam "death railway", on January 14. She had been on a round-the-world backpacking tour before planning to start her career as a lawyer with a firm of solicitors in London.

Her parents, Stuart and Jackie Masheder, from Wincle, Cheshire, searched Thailand for two weeks after she failed to return home for Christmas. After her body was found her father said: "She was just in the wrong place at the wrong time."

Yodchart's swift trial is seen as an attempt by the Thai Government to reassure tourists that the country is safe to visit and that attacks on visitors will not be tolerated. Before the trial the religious council in Kanchanaburi announced that it had sacked the abbot of Thamm Khaopoon for neglect. The Thai Religious Affairs Department is also investigating allegations that three other monks were involved in drug-taking at the temple and that women were procured by the monks for sex.



Yodchart Suaphoo after being sentenced to death for Joanne Masheder's murder

Village mourns victim it had taken to its heart

JOHANNE MASHEDER was a young woman who was universally loved: her family and friends were told at her funeral yesterday.

As mourners packed the village church in Wincle, Cheshire, the Rev David Moir said that the family of the 23-year-old backpacker should not allow her murder to make them bitter and resentful.

The death of Miss Masheder, a newly qualified solicitor on the last leg of a round-the-world trip, had left the village devastated. Mr Moir said, "It wasn't just that it was someone from our village, but that it was a young member of a family who seemed to have taken this village to their hearts and for whom, naturally, that feeling is reciprocal."

The funeral took place



Joanne Masheder on verge of legal career

and Father of Mankind. The King of Love My Shepherd Is and a reading from the Wisdom of Solomon, Mr Moir told the mourners: "Grief is a debilitating thing and I am sure from what I know of Joanne that she wouldn't want us to hold on too much to this feeling." Life for her family would never be the same but bitterness and resentment must not take over.

He said Joanne and her "lovely character" was in everyone's minds. He told her family: "She will always remain a light in your lives."

After the service Mr Moir said of the death sentence on Miss Masheder's killer: "Retribution is the normal, human, knee-jerk reaction. Hopefully you will be able to have a more mature reaction later. It is all to do with how you think of God."

Among the tributes at the graveyard was one from the Pinkerton's detective agency in Thailand, which helped in the month-long search for her.

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Blair is making progress towards safety in government

The critical test for a Blair Government will be whether it retains the support of grassroots Labour members. The last two Labour Governments, in the 1960s and 1970s, both failed to do so. Their economic policy shifts, particularly on public spending, alienated many activists. This fuelled recriminations against the leadership. Many Labour MPs still shudder at the memory of the 1979 conference when, sitting in their dock-like section, they were booed by delegates. The prevailing myth of betrayal led to a shift to the left in policy and to the constitutional upheavals of the early 1980s.

Tony Blair is determined to avoid such an outcome this time. In part, this means not raising expectations which subsequently have to be disappointed. But as important is his attempt to change the character and structure of the Labour party. Membership has leapt by a half in the past two years, with barely a dent from the Harriet Harman row and Arthur Scargill's splinter. These members are now more directly involved in party decisions and elections. Following his nationwide series of meetings a year ago in his campaign to rewrite Clause Four, Mr Blair has wanted to ensure

RIDDELL ON POLITICS

that the party understands and supports his strategy. Constitutional changes last autumn allow scope for direct consultation of members.

To reinforce these links, a new political education body, called Progress, has been set by some younger party members to organise weekend and day schools and to produce a quarterly magazine. The first issue, a glossy, down-to-earth product aimed at the already committed, contains a revealing

article by Philip Gould, a key Labour adviser, about the battle to win the public's trust to the party. "For most of our new supporters, voting Labour is a very big step, for many a step they thought they would never take, and one they take now with hope, but with some trepidation."

Progress has arranged core funding to carry on this work for at least two years. Following the lead of American campaigns, like the Newt Gingrich operation and the Democratic Leadership Council, it will spread the message via direct mail, videos and CD-Rom aimed at key local activists. Many of the

volunteers working for Progress, now in their 20s and 30s, will fight hopeless Labour seats at the next election and, they hope, safer ones after that.

The origins of Progress lie on Labour's Centre-Right. Derek Draper, its director, is a protégé of Peter Mandelson. But it is unlike earlier right-wing bodies such as the Campaign for Democratic Socialism in the early 1960s or Campaign for a Labour Victory in the late 1970s. These were defensive in inspiration and factional in operation, being engaged in an ideological battle with the hard-Left.

Progress has been formed to avoid such an ideological conflict. It is self-consciously non-factional and has established backing for instance, Robin Cook is doing a prize draw. Progress is loyalist and pro-leadership in ethos and in its primary aim of spreading the Blair message to key activists: especially, the new generation among members of constituency general committees, candidates, councillors and the like.

Nonetheless, its unstated, almost Leninist, objective is to create a cadre of convinced Blair supporters in the constituencies who will support the "new" Labour ap-

proach, not only now but, also crucially, in Government. Mr Blair needs allies throughout the party so, when the going gets rough as it is bound to do, they will back the Government, not accuse it of betrayal as they so often have in the past. The formation of Progress is both a way of creating deeper roots for Blairism and providing an insurance policy for Government. Appropriately, Lord Callaghan, who suffered so much from the absence of such support, was the guest of honour at its launch.

PETER RIDDELL

MPs bicker over bid to double their salaries

By Alice Thomson and Arthur Leathley

MPs argued bitterly yesterday amid confusion and embarrassment over demands for an independent review of their salaries.

Within hours of 300 MPs having signed a Commons motion calling for the review, several backbenchers withdrew their names and said that they had been misled into supporting a move to double their pay.

The Commons motion called for the Nolan committee to recommend changes to MPs' pay by the end of April. Although the motion did not specify any figures, there was widespread annoyance at suggestions from some leading campaigners that salaries should be doubled to attract candidates of a higher calibre. Although few MPs called publicly for their pay to be doubled, increasing it to about £70,000, many Tories complained privately that their income had dwindled in comparison to almost every other profession and that £60,000-£70,000 was a fair salary.

Labour, however, challenged their claim that they were aiming to attract the "right kind" of young people to become the MPs of the 21st century. It accused the Tories of acting out of self-interest.

Salaries have been a regular

embarrassment to MPs, who vote each year on their own increases, based on increases recommended for middle-ranking civil servants. But changes allowing each department to set its own pay rates mean that MPs must find a new mechanism.

Labour MPs were angered to learn that Tory business managers had tacitly backed the campaign for higher pay. Chris Mullin (Sunderland South) withdrew his name from the motion and questioned the need for a Nolan committee review. "Nolan was set up to get Tory noses out of the trough, not to make the trough deeper," he said.

Others complained that they had been assured that the motion referred to allowances for paying Commons staff as well as MPs and ministers salaries. Andrew MacKinlay (Lab, Thurrock) withdrew his name after discovering that allowances were not being referred to Nolan. "This is not a case of us wanting more money for ourselves because we are broadly well paid. But there have to be big changes to office allowances so that we can actually do the job."

However, Doug Hoyle, chairman of the Parliamentary Labour Party, said: "A life of dedication should not have

to be one of exploitation. There will never be a good time, in the eyes of the public, to look at MPs' pay. Now that the demand is growing for MPs to be full-time they have got to be adequately rewarded."

Sir Terence Higgins, a Tory former minister who has led the campaign for higher pay, said there would be serious consequences for parliamentary democracy if the issue was not addressed. "There is now a serious risk both that we don't have pay at a level which attracts people of sufficient ability into politics and, more importantly, in a way that senior members who have ceased to be ministers don't remain in the House for two or three Parliaments afterwards carrying out the role of chairman of select committees and so on."

Paddy Ashdown, leader of the Liberal Democrats, whose pay is the same as a backbencher's, said the only justification for a large pay increase would be in exchange for MPs agreeing to dedicate themselves solely to their parliamentary work. MPs should not, however, be in Parliament for the money.

"MPs should have a single loyalty. That loyalty is through the ballot box alone and should not be diluted in



other areas. It is about time we realised in this place that we are servants. Our constituents are our masters," he said.

Liz Lyne (Lib Dem Rochdale), who has signed the motion, said "I think £34,000 is enough for a family to live on but I do believe the Nolan committee or some other inde-

pendent body should decide on MPs' pay."

Michael Fabricant (C Mid Staffordshire) said: "You are getting people coming into the House who are taking a pay cut and, more worrying, able people refusing to come to the House simply because they can't afford to become MPs."

Sir Mark Lennor-Boyd (C Morecambe and Lunesdale) said: "If MPs are not allowed to do anything else outside Westminster, they should be paid adequately. Something around £60,000 might be about right."

Leading article, page 19

Hamilton seeks leadership of backbench Right

By Nicholas Wood, Chief Political Correspondent

NEIL HAMILTON, the most colourful ministerial casualty of the Tory sleaze scandals, is to stand for the leadership of the backbench Conservative Right.

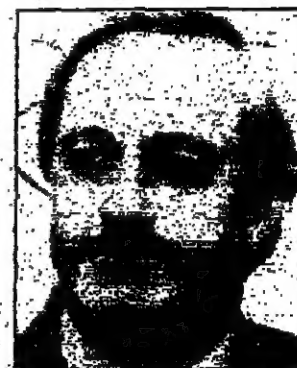
His decision to run against John Townend, 61, the Thatcherite MP for Bridlington, in an election to be decided at the end of next week, opens the prospect of a bruising power struggle among many of the MPs most hostile to John Major.

Mr Hamilton said yesterday that the chairmanship of the 92 Group would be a route back into real politics. "Not that I have anything against John Townend. His views and mine are indistinguishable. It's pure megalomania on my part."

But Mr Hamilton's supporters said he wanted to give the 105-strong group, the biggest of all backbench Tory factions, more influence over policy and to avoid the tactical mishaps that had weakened it in recent years. An angry Mr Major once sent Mr Townend and other senior members of the 92 Group packing after a couple of minutes because the agenda for a sensitive confidential meeting had been leaked.

Mr Hamilton left his job as junior Trade Minister in autumn 1994, protesting that he was the victim of "foully motivated rumour and a media witch-hunt". Mr Major had defended him against "unsubstantiated" allegations but sacked him as pressure over the cash-for-questions affair mounted.

Ironically, given the bitterness surrounding the departure of one of the most fervent and ideological Thatcherites in the Government, Mr Hamilton has been pressed to run for the chairmanship of the 92 Group of Tory MPs as the "establishment candidate". Sir James Spicer, a senior right-wing loyalist, is said to have helped to persuade him to challenge Mr Townend, the



Hamilton: a return to real politics

front-runner and confidant of Sir George Gardiner, who is stepping down after 11 years as chairman.

It is understood that loyalist right-wingers are intent on stopping Mr Townend, who backed John Redwood for the party leadership has been a persistent critic of government policy on the economy and Europe. But the move could backfire. "This could be a case of out of the frying pan into the fire," one Tory said yesterday.

Mr Hamilton, 46, a former Parliamentary Wit of the Year with a turn of phrase as refreshing as his bow ties, has pursued an eventful career since being elected for Tatton in Cheshire in 1983. He successfully sued the BBC for alleging that he was racist with neo-fascist links. He was the star of the Tory conference in 1993 after tearing up yards of red tape on the platform and announcing that the Prime Minister wanted him to act like a "bastard".

But questions about a £4,000 free holiday at the Ritz hotel in Paris in 1987 came back to haunt him. Brandishing a ginger biscuit at the press and promising to declare it in the Register of Members' Interests did not help. He was eventually driven from office over what his friends insisted were trumped up charges.

Labour suspends 15 Monklands councillors

By Jill Sherman, Political Correspondent

FIFTEEN Labour councillors were suspended yesterday from holding political office for two years after a party inquiry into mismanagement at Monklands Council in Strathclyde.

The decision by the National Executive Committee

means that Jim Brooks, the council leader, and 14 of his colleagues, will not be able to hold party or council office during the first period of the new unitary North Lanarkshire authority.

Last year a Scottish Office inquiry cleared the councillors of favouritism in the form of reserving council jobs for friends and relatives. But the

NEC decided that disciplinary action should go ahead because of mismanagement.

Dr John Reid, Labour MP for Motherwell North, said: "I welcome the fact that dedicated and hard-working councillors have now been cleared of any allegations of impropriety. We need to ensure that such inquiries do not become a vehicle for party political in-

fighting and I am demanding that the Scottish Secretary, Michael Forsyth, release details of the full costs and who will foot the bill."

Last night Helen Liddell, Labour MP for Monklands East, who has questioned the council's spending policies, said: "I now believe we have reached a point where a line can be drawn under this

matter. In eight weeks Monklands District Council will cease to exist. It is time for new beginnings."

Tony Blair suspended the Labour group on the council after an inquiry by the party reported allegations of nepotism and sectarian discrimination. The Government's inquiry, however, found no evidence of malpractice.

Councils denounce funding 'cynicism'

By Ian Murray, Community Correspondent

THREE quarters of local authorities will be unable to spend more in the year ahead even though the Government claims it is giving them a 3.1 per cent increase in funding, it was claimed yesterday.

Sir Jeremy Beecham, chairman of the Association of Metropolitan Authorities, said the true increase was worth only 2 per cent, well below predicted inflation. The total approved budget was £1 billion below the amount councils were spending this year.

"For the Government to claim that they have provided enough money to ensure that there need be no significant

effect on local government services is sheer hypocrisy and cynicism," he said. "Even Buckinghamshire, the last Tory-controlled county, has announced that the spending limits mean they are forced to consider putting up tax at the same time as cutting services."

Sir Jeremy, speaking at the Commons debate this year's finance settlement for councils, said the Government's claim that 4.5 per cent extra was being allowed for education was untrue. Of the 119 education authorities, 31 could spend only 2 per cent extra and a further 52 were restricted to a 2 per cent increase.

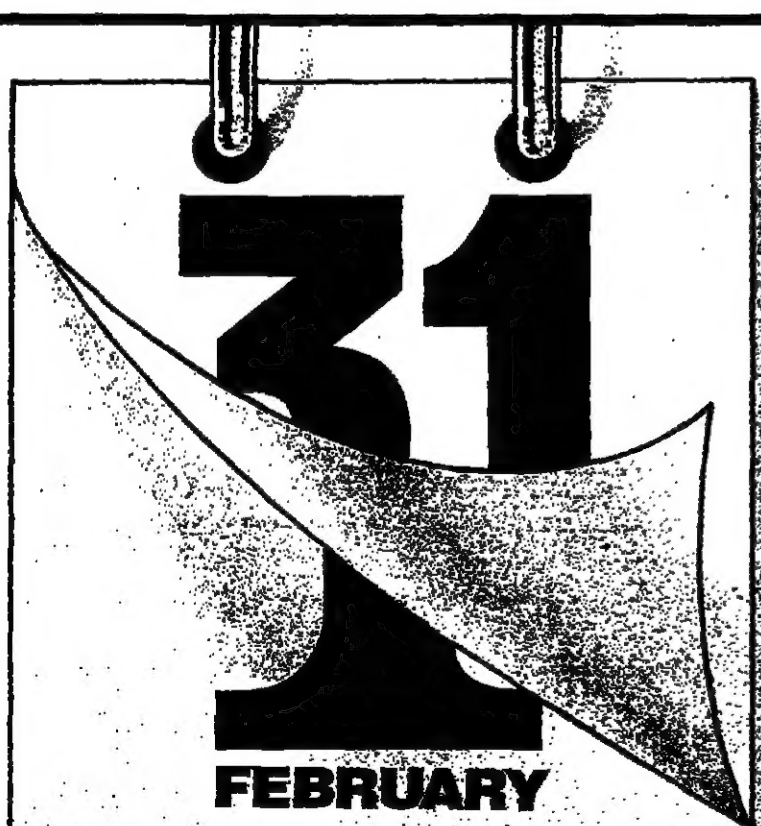


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Peres aims for early poll as electorate shifts to left

FROM CHRISTOPHER WALKER IN JERUSALEM

SHIMON PERES, the Israeli Prime Minister, has decided to call an early general election, according to the political correspondent of the state-owned Israeli radio.

Mr Peres, who is well ahead of his main right-wing Likud rival in the opinion polls, was quoted as telling reporters yesterday, during his flight from Tel Aviv to London for talks with John Major, that the date would be announced in the next few weeks. The election was to have been in October, Shlomo Raz, the political correspondent travelling on the aircraft, was then quoted as saying: "Mr Peres has apparently decided to hold early elections."

Pressure has been growing inside the Labour Party for an early election to capitalise on the strong showing of both Mr Peres and his party in the polls. Opinion has moved markedly to the left since the assassination of Yitzhak Rabin last November by an extreme right-wing Jew bent on sabotaging the peace accord with the Palestinians.

The lunchtime broadcast prompted frenzied activity in the Knesset, where a straw poll among all parties found that Mr Peres would command a majority if he introduced an early elections Bill. Officials said that a date would be made after the next shuttle peace mission by Warren Christopher, the American Secretary of State, is due in the region on Sunday in a further effort to forge a Syrian-Israeli peace deal.

Most political commentators believe that the elections will be held in mid-May or on June 4 at the latest. Nissim Zivli, the influential Secretary-General of the Labour Party, said two weeks ago that he had asked Mr Peres to call elections for May 15 or May

22, but at that time the request had been turned down.

Labour Party sources said yesterday that the 72-year-old Prime Minister's change of heart may have been caused by his consistently strong showing in the polls, the lack of progress in peace negotiations with Syria, internal party canvassing showing public backing for an early poll, and the surge of support for the peace deal among both Israeli Jewish and Israeli Arab voters after the successful Palestinian elections on January 20.

As well as confirming his leadership for a further four years, Mr Peres is also anxious to bolster the small majority in the 120-seat Knesset that he inherited from Rabin. According to a Gallup poll last Friday, Mr Peres would take 54 per cent of the vote for Prime Minister if polling took place now, while Benjamin Netanyahu, the Likud leader, would secure only 31 per cent.

The poll showed a majority of 59 per cent in favour of the 1993 peace accord with the Palestine Liberation Organisation. It indicated Labour winning 48 parliamentary seats, compared with 44 in the 1992 election, and Likud's share of the total dropping from 32 to 31.

Labour strategists are worried that, by holding out for the full term, the party and Mr Peres might see their leads reduced, particularly if there is a spate of Islamic suicide bombings. This must be weighed against what might be seen as a cynical attempt to cash in on the anti-Right feelings provoked by Rabin's murder.

Likud has been badly wrongfooted and is expected to announce a softening in its rejectionist attitude to the PLO peace deal.

Leading article, page 19

Stasi man sentenced

Bonn. Alexander Schalk-Goldkowsky, one of the most shadowy figures of the Cold War, was sentenced yesterday to a suspended one-year jail term after a trial which exposed some of the secrets of East-West currency dealings (Roger Boyes writes).

Prosecutors have yet to unravel how the East German wheel-dealer managed to import a currency printing plant that may still be damaging the German economy.

The currency trader, 63, a

former colonel in the Stasi secret police, was found guilty on the relatively minor charge of arranging the import of 169 guns and 200 night-vision devices worth several million dollars, in defiance of a ban on sensitive military exports. The court said that Schalk-Goldkowsky had broken regulations on inter-German trade.

He will continue to live in his large villa at a Bavarian lakeside resort. The defence said it would appeal.



TO HER PARENTS, JASMINE'S ONE IN A MILLION.
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As anyone who watched the programme about the work of the Great Ormond Street Hospital for Sick Children will realise, Jasmine Gardner is a very special little girl.

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A Greek flag flies as commandos patrol on disputed Imia before American mediation brought a decision by Athens to withdraw its forces

Lure of seabed minerals sharpens old enmities

By MICHAEL BINTON
DIPLOMATIC EDITOR

THE clash between Greece and Turkey over the tiny, uninhabited Aegean island known as Imia to the Greeks and Kardak to the Turks is only the latest in a long history of tensions that have brought the two Nato countries to the brink of war several times. They have embittered relations in the eastern Mediterranean and bedevilled attempts to bring peace to Cyprus and the Balkans.

Greek suspicion of Turkey goes back hundreds of years, reinforced by the historic conflict of cultures and

religion, the bitter Greek struggle for independence at the beginning of the last century, and the atrocities and "ethnic cleansing" that accompanied the Greek-Turkish war soon after the collapse of the Ottoman Empire.

The focus of the smouldering conflict has been the Aegean and sovereignty over 3,000 islands and islets that lie off the Turkish coast. The population of these islands historically has been Greek, and until 1922 Izmir, then known as Smyrna, and many of the cities along Turkey's western coast were populated by ethnic Greeks. Athens therefore has always considered the Aegean a Greek

sea, and cites the comprehensive settlement at the 1923 Lausanne Conference which established the Turkish frontier, as well as Italy's decision in 1947 to award sovereignty of Kalymnos, the nearest island, to Greece with Rhodes and the main islands of the Dodecanese off the Turkish coast.

Turkey, however, maintains the 1947 treaty does not include these rocks. And, as interest has grown in the possible exploitation of mineral resources beneath the sea, Ankara has also cited international conventions which delineate the economic zones that nations may claim in the seabed,

as well as precedents on ownership of the continental shelf.

Both countries have different interpretations of the 1958 Geneva convention: Greece claiming that the boundary runs between the Greek islands and the Turkish coast, and Turkey laying claim to the eastern half of the seabed. Greece applied to the International Court of Justice in 1976 after a Turkish survey ship, *Sismik 1*, started scientific surveys in the Aegean, but Ankara said it would not recognise the court's competence.

The dispute over possible oil and mineral exploration almost led to war in 1974, 1976 and again in 1987.

Retreat by Greece infuriates the Right

FROM JOHN CARR
IN ATHENS

GREECE implicitly acknowledged yesterday that it lacked the military might to fight Turkey over Aegean Sea quarrels, while it thanked America for helping to defuse what could have become a war over a disputed islet.

Explaining why Greece pulled back from the brink early yesterday, Costas Simitis, the Prime Minister, said that his country "did not have the strength" for a showdown which "would drag on for some time and be inconclusive". The frank admission by the Socialist Government's leader in parliament enraged the conservative New Democracy opposition, which walked out protesting against what it referred to as "betrayal" and "national humiliation".

The debate came only a few hours after a Greek commando detachment was pulled out of Imia, a barren islet in the eastern Aegean claimed by both Greece and Turkey.

The opposition benches erupted in fury when Mr Simitis expressed gratitude to America, which persuaded Greece and Turkey to withdraw from the island. Mr Simitis expressed gratitude to America, which persuaded Greece and Turkey to withdraw from the island. Mr Simitis expressed gratitude to America, which persuaded Greece and Turkey to withdraw from the island.

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Three million jobless add to French gloom

FROM BEN MACINTYRE IN PARIS

UNEMPLOYMENT climbed sharply again during November and December in France, pushing the number of jobless above the symbolic and politically damaging figure of three million for the first time in ten months.

The grim economic news came as the Government unveiled measures to boost growth and President Chirac sought to lift consumer confidence by insisting that the slowdown in the economy was only temporary.

A flagging economy and last year's crippling strikes added 57,000 people to the jobless rolls in the last two months of 1995, according to official statistics released yesterday, taking the total number of unemployed to 3.02 million, or 11.7 per cent of the population.

M. Chirac made reducing unemployment the cornerstone of his election campaign last year and the new figures are a fresh blow to his Government as its struggles to revive the economy.

The President, who yesterday flew to Washington for a state visit, said in an article in *Le Monde* that economic revival was just around the corner. "Among my ambitions

as I leave for the United States, one is particularly close to my heart: to help France to play its card as a great economic, commercial and financial power," M. Chirac wrote.

The President also reiterated his determination to push through European monetary union, despite growing fears that the economic situation has put the project in jeopardy.

Alain Juppé, the Prime Minister, admitted that the latest unemployment figures were "not good" and reiterated a pledge to create 250,000 new jobs for young people this year. "We are bad on the young. We must therefore make a national effort for the young," M. Juppé said.

On Tuesday the Government presented a modest package of measures designed to stimulate economic growth, consumer spending and employment by manipulating interest rates and liberating savings.

The most significant move was a cut in the interest rate paid out on the country's most popular savings scheme, the *Livret A*, which ties up Fr700 billion (£90 billion).

The rate, unchanged for a

decade, was cut from 4.5 per cent to 3.5 per cent. France's commercial banks immediately responded by cutting their base rates by half a point.

The new measures were the third economic stimulus package to be presented by the Government since November, but analysts remain doubtful whether the moves will be enough to revitalise the ailing economy, let alone to ensure sufficient growth to meet the requirements for European monetary union.

Jacques Delors, the former European Commission President, added to the uncertain climate by acknowledging, in an interview with *Le Nouvel Observateur*, that the EMU criteria may have to be interpreted flexibly, as Valéry Giscard d'Estaing, the former French President, suggested last week.

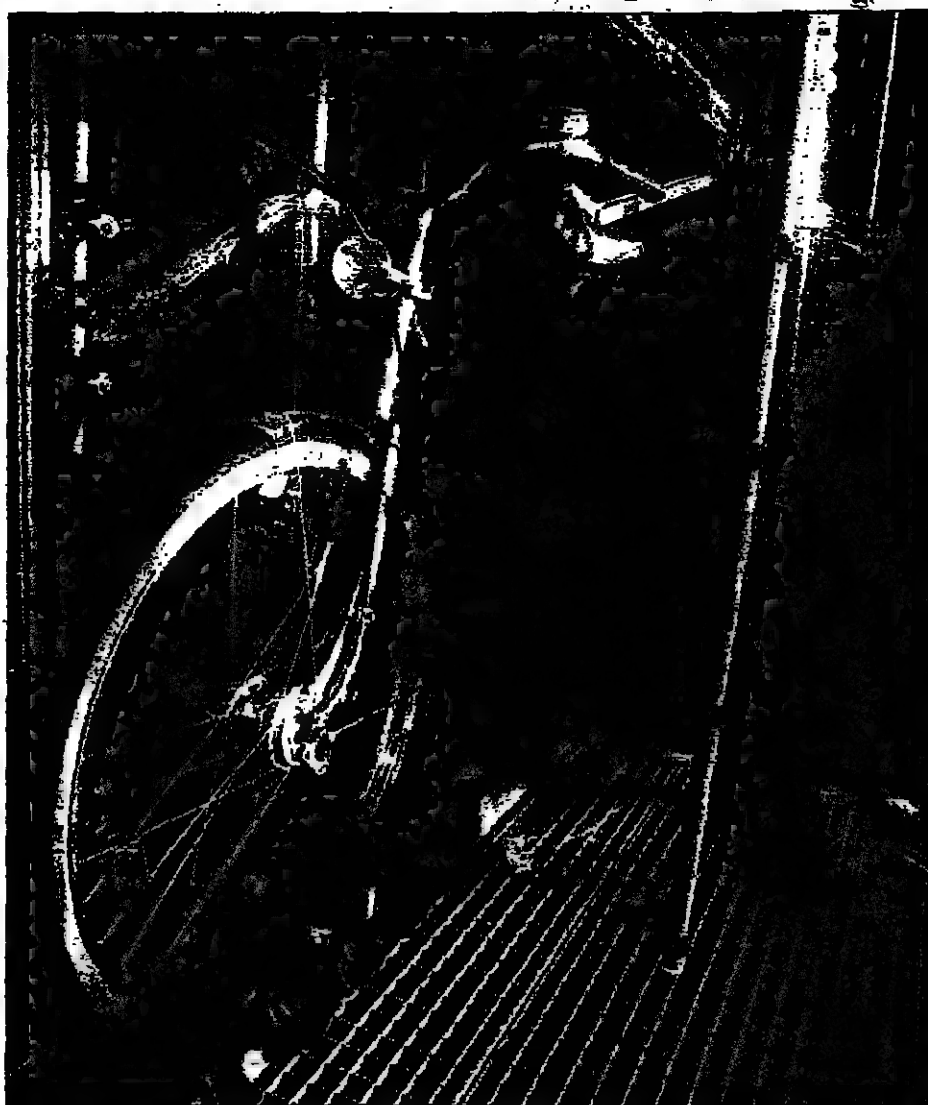
"We will see if we have to use this possibility," M. Delors said, while adding that it is still too early to discuss a less rigid interpretation of the Maastricht timetable.

In a statement that is beginning to sound like a mantra in the face of growing scepticism, Alain Lamassoure, the Government's spokesman, said he

remained "convinced that France and Germany will be ready for the single currency in time and within the conditions as planned". To add to the economic pessimism, the Paribas bank has forecast a growth rate of just 1.3 per cent for this year, less than half the rate the Government originally had predicted. Eight out of ten French households have money in the *Livret A* scheme and tinkering with the rates will do little to enhance the Government's popularity.

Perhaps most worryingly for M. Juppé, according to the latest polls the Prime Minister's approval ratings continue to fall while those for M. Chirac are rising, partly because of his decision to end nuclear testing in the South Pacific. The speed with which M. Chirac has been converted to disarmament since he announced the end of testing has not escaped his critics.

A cartoon in *Libération* showed the President sweating to catch up with an anti-nuclear rally and remarking to M. Juppé: "You won't believe it. There are still countries carrying out nuclear tests. The very idea is enough to make me sick."



Mud guard: a wash and a brush in one of Germany's first plants designed for bicycles, in Duisburg. A turn in the rotary brushes and a polish costs about £2

Two-year target to rebuild La Fenice

FROM RICHARD OWEN IN VENICE

THE Mayor of Venice, Massimo Cacciari, yesterday vowed to rebuild La Fenice opera house "within two years" after its destruction by fire.

But as Signor Cacciari convened the city council to discuss an urgent restoration plan, there was growing criticism not only of the slow response by the emergency services but also of failure to tackle Venice's catalogue of chronic ills, ranging from floods and pollution to the impact of mass tourism.

Many bystanders gazed wordlessly at the blackened ruins yesterday. La Fenice had been closed for restoration when the fire broke out. Woody Allen, who was to have reopened it in March with a jazz concert, provided the only humorous note by suggesting that the theatre had been burnt down deliberately by a music lover anxious not to "hear him play".

The local newspaper, *Il Gazzettino di Venezia*, noted that Venetians were always wise after the event. "We are good at post-prevention," it declared. "The day after the tragedy we are still promising that it will not happen again."

Signor Cacciari, a rising star of the Left, has won praise for his attempts to bring the city's budget under control since he took over two years ago, and has fought for greater autonomy from Rome.

Signor Cacciari has persuaded factories in the nearby industrial suburb of Mestre to cut back sulphur emissions, and is pressing the Government to stop huge oil tankers passing through the lagoon.

But flooding remains a constant threat. The plan to build 80 tide barriers across the lagoon has been delayed because of the £12 billion cost.

The city also finds it increasingly difficult to cope with the overwhelming visitor numbers. "We are becoming a museum," one resident said.

Letters, page 19

Santer seeks public works drive

BY CHARLES BREMNER



Santer: fears impact of unemployment on EU

IN A CRY of alarm over the impact of unemployment, Jacques Santer, the European Commission President, yesterday proposed a Confidence Pact and called for hundreds of millions of pounds to be switched to spending on big public works projects.

Mr Santer, whose spending ideas received a frosty reception from Britain and other states, is seeking a European-wide push, along the lines of Germany's economic boost this week, to combat the public view that the plan for monetary union is breeding unemployment.

Speaking in the European

Parliament, Mr Santer said persistent high unemployment, now standing at 18 million across the EU, was "endangering the cohesion of our society... Moreover, the fear of unemployment is sapping confidence towards the single currency". He said he would spend the next few weeks touring capitals to coordinate a European Pact for Confidence on Employment.

In an effort to recoup some of the millions lost each year, the Commission yesterday announced new measures to intensify the fight against fraud. Its proposals include spot checks by inspectors and compulsory routes for transit lorries.

Poles pick new leader

Warsaw: Poland's two ruling coalition parties agreed yesterday on Włodzimierz Cimoszewicz, 45, the deputy parliamentary speaker, as the new Prime Minister to lead a reshuffled Cabinet.

Mr Cimoszewicz's former communist Democratic Left Alliance and its Polish Peasant Party partner made the choice after Józef Oleksy resigned as Prime Minister on Friday over allegations he had spied for Moscow.

Mr Cimoszewicz, a former Justice Minister, has 14 days to appoint a Cabinet and submit it to a vote of confidence in parliament. (Reuters)

EU plans family leave for all

FROM CHARLES BREMNER IN BRUSSELS

THE European Commission yesterday issued its first draft law negotiated under the Maastricht social chapter: a guarantee of a minimum three months of unpaid "family leave", or parental leave, from work for men and women in member states except Britain.

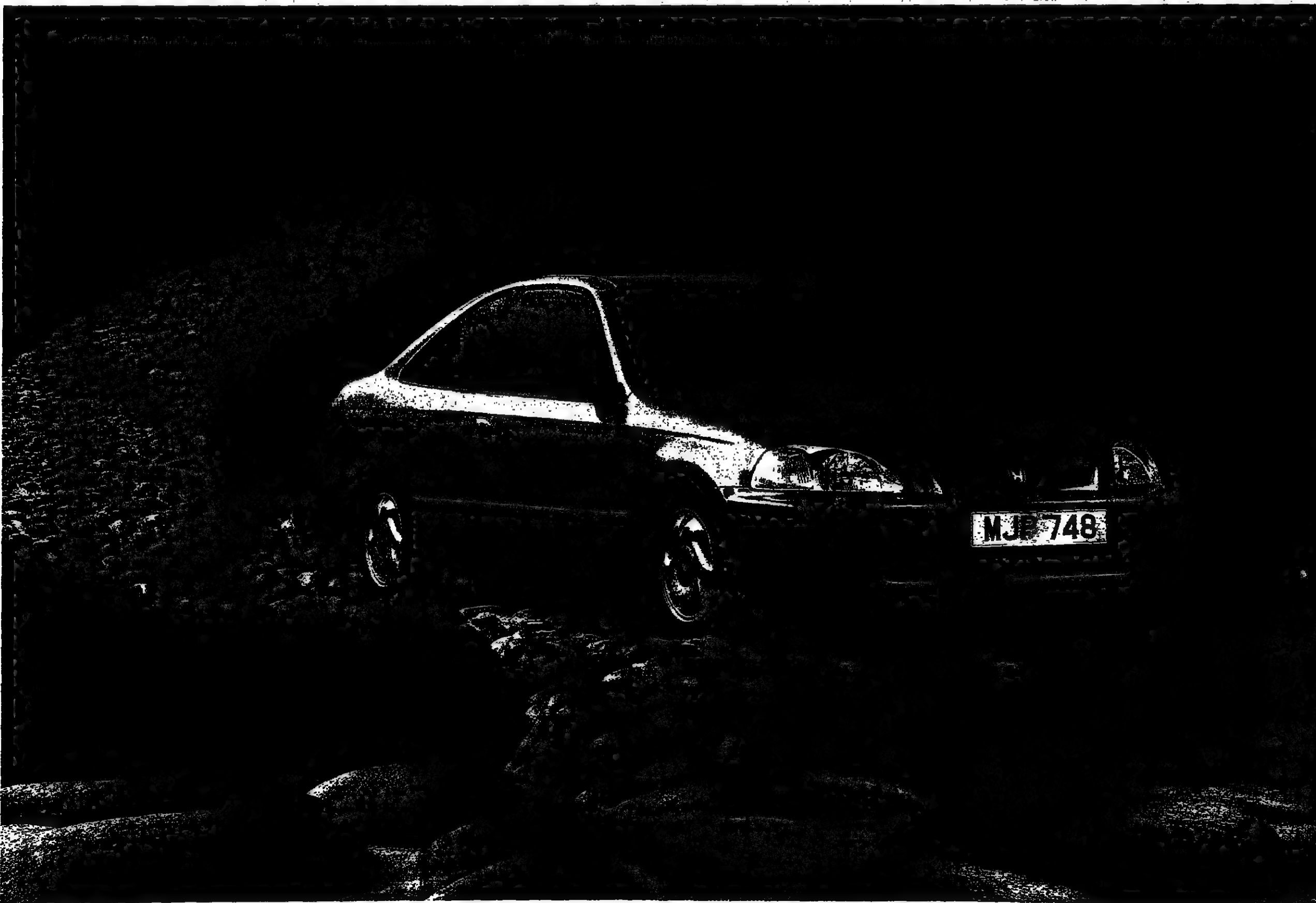
The directive, which must be adopted as law if agreed by ministers from the 14 other member states, was drawn from an accord in December among employers and trade unions. Britain is not involved because of its exclusion from the social protocol of Maastricht. The protocol gives the "social partners" the power to

negotiate protection measures for the workplace.

The British Government had long opposed the principle of European Union legislation of industrial relations and had previously blocked EU directives on parental leave because of the burden it would impose on employers. Many British companies operating in continental Europe are, however, expected to grant time off in line with the directive. British firms are also increasingly adopting other EU social practices such as works councils made up of trade union and company representatives.

Under the proposed directive, both male and female employees would be allowed to take unpaid leave after the birth or adoption of a child. The leave could be deferred until the child reaches a certain age, to be fixed by member states but not exceeding eight years. Provisions will also be made for leave to care for elderly parents and other family emergencies.

Member states will enjoy some latitude when adopting the measures under their own legal systems. They must also "take measures to protect employees against dismissal" if they apply for parental leave.



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when casting your eye over the sleek new body shape. A condition that is no less severe when you take the seat behind the steering wheel. Start the engine up and you really will begin to feel something. Put your foot down and you'll

immediately realise that the Coupe is a responsive beast, not just another sheep in wolf's clothing. Beneath the bonnet of the Coupe SR is the programmed fuel injection system, perfected on the Formula One cars that

powered Williams and McLaren to no less than six consecutive world championships. Sounds a little bit thirsty, you might say. But you couldn't be more wrong. The Civic's VTEC engine was also developed for

*Government Fuel Consumption Figures for Civic Coupe 1.6 SR: Urban 34 mpg; Constant 56mpg; 80.4mpg; Constant 75mpg 40.4mpg. On the road 61.

Two-year target to rebuild La Fenice



ANATOLE KALETSKY 27

Why EMU may happen after all



BOOKS 34, 35

Aldrich Ames, the KGB's most expensive spy



SPORT 39-44

Home truths keep Norman riding high in Australia

THE RUSH TO HONG KONG BEGINS
Travel 36.37

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THE TIMES

BUSINESS EDITOR Lindsay Cook

THURSDAY FEBRUARY 1 1996

Free shares bonanza for A&L members

By Patricia Tegan and Anne Ashworth

THREE MILLION qualifying members of Alliance & Leicester will receive an average £900 payout in a free share distribution in April 1997, when the society turns itself into a bank.

A&L owns Girobank which it bought from the Government in 1990, and is aware that the move could upset its 1.3 million Girobank customers who will not benefit, unless they are also saving or borrowing members of A&L.

Peter White, chief executive of A&L, said the new bank would have opportunities for rationalisation between Girobank and the rest of the group after flotation. For instance, under the structure at flotation, A&L and Girobank will each have a banking licence and will have to maintain separate Treasury operations. It is understood Mr White is considering a private bill that would enable him to merge the two banks.

A&L is still fine-tuning its flotation plans. The free shares will be distributed to borrowers with mortgages of not less than £100 and savers with not less than £100 in a share account, who were with the society on December 31, 1995 and remain until the conversion. Children are not entitled to vote and so do not qualify for free shares but they will receive a cash bonus.

The A&L flotation plans follow the Halifax and Woolwich model of a flat distribution to all members and an additional variable payment to longer-term savers. This model is seen as acceptable to the Building Societies Commission, which must approve the plans, and will save a court case to determine legality.

A&L is thought to favour paying out a greater proportion of its funds in a flat-rate payment. Mr White refused to give details yesterday, saying it was a commercial matter.

He said the decision to float followed a review of the long-term needs of the business last year and was influenced by the takeover of the National & Provincial by Abbey National.

Abbey's success, Mr White went on, "led us to believe that the acquisition of a building society was achieved more easily by a plc, able to raise capital, than by a mutual". It proved, he said, that the A&L would be better off to be a plc than to be a mutual. As a public company, A&L would enable three million members to realise the value of their membership rights.

The building society windfall bonanza will spread around £17 billion among savers and borrowers of societies that have been taken over or wish to convert into banks.

Abbey National set the ball rolling in 1989 with its stock market flotation in which members received free shares worth £100. The game began again in April 1994 with the announcement of the Lloyds Bank & Gloucester Building Society. In August 1995, qualifying C&G savers received payouts as high as £14,044. But the society's 384,000 borrowers were excluded, as were 100,000 savers, following a High Court ruling.

The discontent caused by this ruling lies behind Mr White's reticence over his share distribution plans.

News of the Halifax merger with the Leeds and the planned £9 billion flotation came in November 1994. Qualifying members will receive a basic distribution of shares, worth between £800 and £1,000. An additional variable distribution of free shares will also be given to long-term savers with between £1,000 and £50,000 invested.

Members of the N&P vote on the Abbey National £1.35 billion takeover of their society in April, while the £3 billion Woolwich flotation, scheduled for September 1997, will be based on the Halifax model.

Pennington, page 25

Savers warned on society rates

By Karen Zagon

THE Consumers Association today gave warning that savers may lose out in the long term from the proposed building society conversions.

The association found that savers with smaller building societies consistently received better rates than those with the bigger banks and building societies. Over five years £10,000 in an average building society notice account would have grown by £3,387 for an ordinary taxpayer, compared with £3,007 in an average bank deposit account.

Similarly, Tesco holders were more than £300 better off with an average building society than those with a bank average bank. Building society customers with instant access and notice accounts at the smaller societies also did

better. This discrepancy was attributed to the banks' need to satisfy shareholders by paying dividends and to the banks' practice of drawing funds from the money markets.

Mr. McAlister, senior research officer for the money group of C&A, said: "The main problem is that public companies pay dividends to shareholders, even when their profits are low. In addition, building societies must still raise 50 per cent of their funds from ordinary savers. This means that they must attract savers so even if rates fall they must maintain better rates than the banks." For savers, the latest round of consolidation and conversion means better rates are going to be more difficult to find.

Halifax to end Sun link

By Marianne Curphey

AFTER 100 years of working together, the Halifax Building Society and Sun Alliance are to part company.

The Halifax, the UK's biggest building society, is transferring its £300 million household buildings and contents insurance account to Royal Insurance from June.

General Accident, the UK's largest insurer, and Legal & General will also lose accounts estimated to be worth about £50 million and £20 mil-

lion of premium income respectively. Sun Alliance yesterday expressed disappointment that it had failed to win the contract. But it said that the Halifax was offering poor terms and only a three-year contract which, with the variable UK weather, was too short. The lost business is worth £160 million in premium income.

A spokesman said: "While we are disappointed to lose the premium income, it is not in the

interests of our shareholders for us to operate on margins so thin that we would sacrifice profitability, particularly during the current downturn in the UK insurance cycle."

Shares in Sun Alliance fell 7p to 370p and General Accident 5p to 649p yesterday.

Royal said that the transfer, which includes business from the Leeds Building Society with which the Halifax merged last year, would take 12 months to complete.

Party confident business will back Blair



Change of habit: Sir Terence Conran at yesterday's meeting

Conran pledges faith in Labour election victory

By Philip Bassett, Industrial Editor

SIR Terence Conran, founder of the Habitat chain of lifestyle shops and one of Britain's most renowned businessmen, yesterday declared his support for the Labour Party and his belief that it will win the next general election.

Sir Terence's statement, made to *The Times* at the launch of a Labour Party consultation exercise with British business, is the most prominent declaration of support from a UK businessman since Tony Blair took over as party leader.

Labour leaders were delighted by his backing since, as the founder of Habitat and now a growing chain of successful and fashionable London restaurants, Sir Terence has been an inspiration for the middle classes, whose support Mr Blair is seeking for more than three decades.

The Labour leadership is confident a number of important business figures will declare their support as the election approaches. Poll evidence and private acknowledgements by business leaders suggest a widespread belief in UK industry and services that Labour will win.

Sir Terence, knighted in 1983 when Margaret Thatcher was Prime Minister, appeared yesterday as a member of one of the six business task groups being set up by the Industry Forum, an independent political-business grouping with close Labour links. It was established three years ago by Margaret Beckett, the Shadow Trade and Industry Secretary, when she was deputy leader.

The task group on which Sir Terence will sit with managers from Nissan, Digital Equipment and SmithKline Beecham, is focusing on design, science and innovation. He made a strong case yesterday

for the importance of design and manufacturing in the light of the downgrading of manufacturing under the Conservatives.

"From what I know, in my particular sphere of interest and activity, there seems to be a much greater understanding by Labour about the skills that design and innovation could bring to industry which would have a stimulating effect on the economy," Sir Terence said. While he insisted he was not an economist, he endorsed as "correct" a speech by Mrs Beckett at the launch of the task groups in which she roundly attacked the economic and business record of the Government.

Mrs Beckett said that the idea of Britain as the "enterprise centre of Europe" so favoured by the Prime Minis-

ter, rang hollow — and was one reason why industry was "missing this opportunity to engage in a serious dialogue with Labour about the future economic strategy of this country".

She added: "While Ian Lang and Malcolm Rifkind use platforms such as the CBI to talk at industry and business leaders — arrogantly to demand their support while failing to win their respect — it is Labour which is speaking with industry and commerce in a process of ongoing dialogue and consultation." Yesterday, Mr Rifkind, the Foreign Secretary, denied that the Conservatives were losing the support of business. He was speaking to reporters after addressing the CBI's governing council.

Crisis talks loom for store-to-door service

By Sarah Bagnall

A BUSINESS supplying more than 2,500 J Sainsbury products to customers at their homes is in crisis talks after a financial backer pulled out just four months after its launch.

Supermarket Direct stopped making deliveries on Monday. Dominic Scott Flanagan, joint chief executive, said: "We have temporarily stopped trading while we sort out the financial situation. 'We are in talks with several potential backers and hope to be able to start trading again next week.'"

J Sainsbury agreed to supply more than 2,500 products through Supermarket Direct, but it has no financial involvement.

A Sainsbury spokesman

said: "We are not going to invest in the business." He added that Sainsbury is currently researching home shopping and that the link-up with Supermarket Direct was seen as a means of testing the waters.

Most of the large food retailers expect home delivery to form an integral part of the offer that they make to customers. Tesco is currently working with social services officials in Ealing and Gateshead providing a home delivery service.

Supermarket Direct started operating in October from Wandsworth with seven vans. Business is said to have been far from brisk and one supplier said that the business was like a "graveyard".

Railtrack sticks to its lines for sell-off

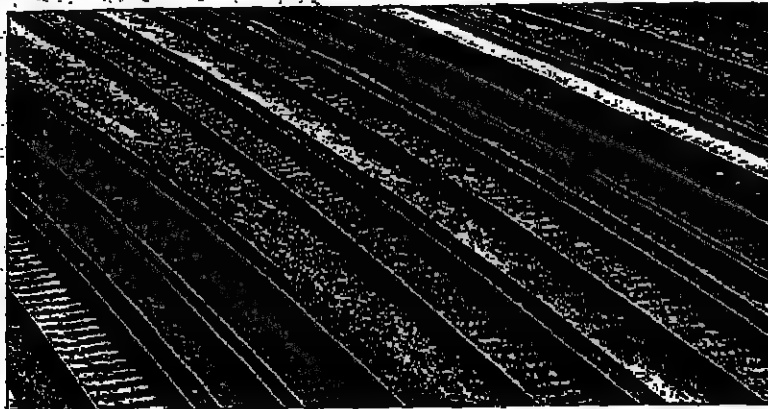
By Jonathan Pevin, Transport Correspondent

LOVINGLY shot images of a "ghost railway", assaulted by the presence of a single train, will form the centrepiece of the £4 million television advertising campaign for the stock market flotation of Railtrack.

The advertisements will picture deserted tracks, stations and tunnels without so much as a locomotive or carriage in sight to "remove any possibility of investors believing they are buying shares in a re-named British Rail."

City advisers have warned the Government that showing trains in the advertisements would lead to public confusion about what is being sold in May. They also wanted to avoid any association with BR's poor public image.

"If there had been trains in the ads, we would agree that anyone looking at them would be entirely entitled to believe that Railtrack is about operat-



Railtrack has a tradition of leaving trains out of its promotional material

ing trains," said one senior adviser. Instead, potential investors will be bombarded with statistics about Railtrack's finances and its portfolio of highly photogenic assets. They include 23,000 miles of track, over a 10,000-mile rail network, 1,000 tunnels, 90,000 bridge spans and culverts

and 2,500 stations. There will also be information about how potential investors can register for the share issue. The trains have already been sold to private rolling stock leasing companies, and services will be run by 25 passenger operators paying fees to Railtrack for access to the network.

Rail experts said the trainless campaign could leave an unfortunate impression of Railtrack, which earns 90 per cent of its revenues from charges to train operators.

"The infrastructure isn't worth anything unless it has got trains running on it," said Roger Ford, a leading railway journalist. "So to show the tracks with no trains is to show it not making money. It's really very silly."

The advertisements follow a company tradition of leaving trains out of its promotional material. The official Railtrack Christmas card featured empty tracks in the snow and the Railtrack network timetable has another empty set of tracks stretching towards a mountainous horizon.

The simple and relatively low budget campaign will be in stark contrast to the award-winning television commercials commissioned by British Rail, which won dozens of awards from the advertising industry, but persuaded few passengers back to the railways.

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George opposed larger monetary easing at December meeting

Governor reluctant over rate cut

By JANET BUSH
ECONOMICS CORRESPONDENT

FRESH evidence emerged yesterday that Kenneth Clarke cut interest rates last month, the second reduction in five weeks, against the advice of Eddie George, the Governor of the Bank of England.

The minutes of the monthly monetary meeting in December, when the first of the two cuts was decided, showed that Mr Clarke had been far more eager to cut rates than the

Governor. Mr George recommended a quarter point cut but made it clear that he was opposed to a larger monetary easing. In contrast, Mr Clarke said that the question was no longer "whether interest rates should be reduced but by how much". He agreed to the quarter point move but said that he was sympathetic to calls for a bigger move.

The City read the minutes as an indication that the second cut, decided after the January monetary meeting, was de-

manded by Mr Clarke and guessed that Mr George would have opposed the move quite strongly.

David Walton, economist with Goldman Sachs, said it is clear that the Chancellor was the driving force behind the second cut. "Between mid-December and mid-January there was a further pick-up in M4 growth and clear signs of a firmer trend in consumer spending," he said. "It is difficult to believe that the Governor could have been

anything other than distinctly unenthusiastic about the January cut."

However, there is a possibility that the Governor became more concerned, along with the Chancellor, about accumulating evidence of an economic slowdown in Europe since the December meeting, when it was highlighted as a negative risk.

Mr Clarke yesterday met his new panel of the four wise men and two women who sit on his forecasting panel and discussed the economic

outlook.

The three new members all argued when they were appointed that Mr Clarke's 3 per cent growth forecast for this year was too optimistic. The three sitting members wrote to *The Times* in December, successfully urging the Chancellor to cut rates.

The prospect of lower rates in Europe were bolstered yesterday by another aggressive cut in Germany's key repurchase rate, which the

Bundesbank set at 3.40 per cent, from 3.55 per cent last week. Dealers now believe that official rate cuts are imminent.

The auction yesterday of £3 billion of gilt-edged stock maturing in 2000 was well received, attracting almost twice the number of bids needed. Gilt analysts said that the new open gilt repo market had helped to attract extra business.

Pennyington, page 25

SBC Warburg chief to head Prudential investments

By PATRICIA TEHAN

THE Prudential, the UK's biggest institutional fund manager, has appointed one of the City's most senior merchant bankers as its new head of investments.

Derek Higgs, managing director of SBC Warburg and UK head, will take over as executive chairman of Prudential Portfolio Managers, which has £76 billion of funds under management. Mr Higgs is to take over his new role at the end of the month. He will receive a basic pay package of £300,000 a year, £25,000 more than his predecessor, the well-respected Hugh Jenkins, and his pack-

age also includes long-term and short-term performance bonus incentives.

Mr Higgs's appointment caused surprise in the City because he is known as a deal-maker and client relationship manager. It is SBC Warburg's highest-profile departure since the takeover of Warburg by SBC last summer.

Peter Davis, chief executive of the Pru, described the appointment as "an interesting lateral move". He said that there were close parallels between investment banking and investment management, describing Mr Higgs's new job as "a management task".

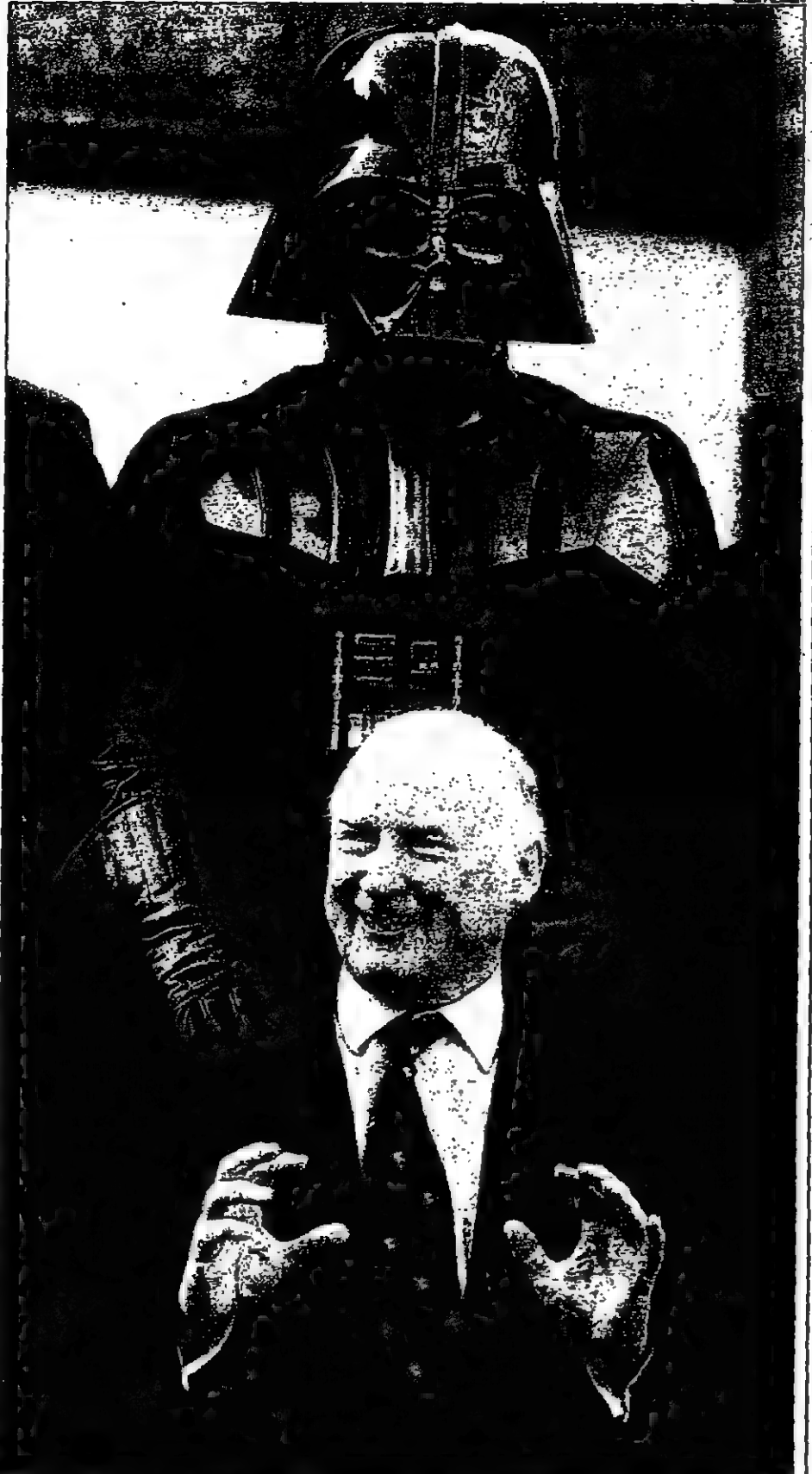
Mr Davis said that the Pru had had good performance in 1994 and "very good performance" last year. "So I was looking for someone big enough to lead it and challenge it and big enough to deal with corporate governance issues and the inevitable political interface".

These issues would become increasingly important, he said, because fund managers were becoming more accountable.

Mr Davis said that he first approached Mr Higgs last August, but Mr Higgs replied that he was committed to the merger of SBC with Warburg and unwilling to move. Mr Davis approached him again in December, by which time he was willing to talk.

Mr Higgs said that his departure was not linked to the takeover of Warburg. He said that he had been distinguished to move because he "wanted to help the integration process".

He decided to move, he said, "because the world lies with the young and the people coming through have to nail their colours to SBC Warburg rather than to either of the other names".



Darth Vader, the *Star Wars* character, stalks Richard Culey, managing director of Copyright Promotions Group, which has reached agreement with Lucasfilm to represent *Star Wars* properties in Europe, excluding Germany and Scandinavia

Fears on Hanson demerger hit shares

By ALASDAIR MURRAY

WORRIES over the debt, dividend and tax consequences of Hanson's demerger plans caused the company's share price to fall yesterday.

At one stage the shares touched 199p, 5.5p below Hanson's price on Monday night, the day before the demerger plans were announced, but the shares recovered marginally to close at 202.5p.

The slide was a setback for Hanson which spent yesterday explaining its plans to shareholders at its annual meeting in the Barbican in London. The company was also hurt by news that SBC Warburg, the brokers, had downgraded Hanson shares from "hold" to "sell".

Investors expressed concern that the dividend rate would fall after demerger. Although Hanson has said that it will preserve the value of the dividend this year it said that from 1997 it will be up to the newly created companies to determine a suitable dividend. A demerged Hanson could face a proportionally higher tax bill after the complex web of accounting, which Hanson has used to minimise tax payments, is unravelled.

The debt position after demerger also continued to cause worry after the credit rating agencies announced on Tuesday that they might downgrade the ratings for the four demerged companies. Hanson yesterday assured its fixed-rate creditors that it would furnish the credit rating agencies with details of the debt position of the demerged company as soon as possible. It said the new companies will be structured to ensure a balanced financial profile.

Hanson's annual meeting yesterday was disrupted by vocal protests from green campaigners angered at the environmental record of Peabody, the company's mining subsidiary, but eventually the 1995 accounts were passed.

Tempest, page 26

Exporters gloomier, says study

By PHILIP BASSETT
INDUSTRIAL EDITOR

EXPORT confidence is plunging, with exporters' optimism now down to its lowest level for two years, survey evidence from shows today.

Although exports are still growing, exporters acknowledge that the rate of growth has slowed as the UK's overseas markets tighten - affecting Britain's economic recovery, which has largely been export-driven.

However, the latest quarterly export indicator, carried out by Gallup for DHL, the carriage company, shows that its short-term export confidence index - the balance of exporters recording good and poor expectations for orders over the next three months - falling back from 47 per cent to 37 per cent. This is the lowest level since the final quarter of 1993.

Confidence over the longer term is also down, though not as sharply, according to the survey of a random sample of more than 500 exporting companies.

Although the EU share of the UK's export market is set to fall, other markets are set to grow, including the Far East and the Middle East.

Exporters say that the Budget has been of little or no help to their businesses, and they increasingly believe that a single European currency would have a negative impact on trade.

Outgoing director cautions against radical change

Bank's supervisory role defended

By OUR BANKING
CORRESPONDENT

BRIAN QUINN, the Bank of England director with responsibility for banking supervision, has hit back at critics in a last attack before his retirement at the end of the month. Writing in *The Scotsman* Banker, published today, he says: "The net benefits of leaving supervision with the Bank greatly outweigh the risks of experimenting with radical institutional change,

especially at this uncertain point in the evolution of the world's financial system."

His comments are in response to repeated criticism of the Bank, most recently following the collapse of Barings a year ago, and to calls for its supervisory and monetary roles to be split.

Mr Quinn acknowledges that financial markets have changed and that it is necessary to think about how the supervision of banks and other financial institutions is

organised and managed. He says the Bank is re-examining its methods of supervision.

But he adds that the Bank is at the very centre of the financial system. "This places it in a unique position, both to see what is going on in the banking system and to decide whether the failure of any bank could lead to a general collapse not only among banks but throughout the whole financial system."

In defence of the Bank's record compared with that of

other banking regulators, Mr Quinn says: "The Bank's track record as a banking supervisor stands comparison with other countries."

He says that the cost of banking failures in the UK over the past decade, measured by payments from the Deposit Protection Fund, amounted to £144 million, "and there is an excellent prospect that the fund will recover a substantial part of those costs".

The cost of failed banks to the US Federal Deposit Insurance Corporation, he says, is estimated at £20 billion over the same period. In Japan, the current banking crisis has exhausted the deposit insurance fund, which stood at £5 billion two years ago.

He says: "The fact is that there is scarcely a country anywhere in the industrial world that has not had problems with its banks in recent years." He adds that it is misleading to suggest that bank failures will not occur.

Rhône-Poulenc has £1.3bn sell-offs plan

RHÔNE-POULENC RORER, the Franco-American drugs and chemicals group that last October paid £1.83 billion for Fisons, reported a rise in income for 1995, in spite of the economic slowdown in France and the public-sector strikes that paralysed the country late in the year. But RPR said the income gain fell below its objectives and it will aim to boost profitability by selling non-core assets and reducing debt. Sales of about 10 billion francs (£1.3 billion) are scheduled over the next two years.

The Fisons acquisition cut earnings by 5 US cents a share in the year to December 31, but Fisons should contribute to the group next year. RPR reported pre-tax income of \$538 million in 1995 (\$515 million). Turnover rose 14.6 per cent to \$5.14 billion, while interest and Fisons acquisition debt reduced net income 3 per cent to \$337.8 million. RPR says earnings growth of 10 per cent per share is "feasible" in 1996.

Lord Borrie warning

LORD BORRIE, a former Director-General of Fair Trading, gave warning last night of the dangers of predatory foreign ownership of UK companies. Lord Borrie, now a Labour peer, praised most investors from abroad, including those backing companies like Nissan UK and Nestlé, for fostering good relations with the local workforce. But he added: "What sours relations, and what many people in this country are concerned about, is when the new investor behaves like a predatory tourist, here one day and gone the next, leaving behind a trail of broken hearts and unfulfilled promises." Lord Borrie was making his maiden speech in a Lords debate on inward investment.

ABN-Amro expansion

ABN-AMRO, the Dutch bank, expects to more than double the size of its London operations over the next three years. The bank, which owns Hoare Govett, the stockbroker, is to move to new headquarters in Spitalfields, east London, which will accommodate 2,500 people, compared with the 1,000 ABN-AMRO staff currently based at three City sites. Personnel in Moorgate, Bishopsgate and the Broadgate complex will move to an 11-storey building on a one-acre site with a frontage on Bishopsgate in the borough of Tower Hamlets. It will be built by the Spitalfields Development Group, a joint venture between BICC, Costain and SPP, the Swedish insurer.

Anglo United chief quits

THE chairman of Anglo United, the Coalite fuels group, yesterday resigned as the company revealed deepening losses and a slump in the sales of smokeless fuel during the six months of mild weather up to September 30. Harold Contam, who has steered the company for nearly three years, said he was leaving immediately and that his task of improving banking confidence and reshaping the group was "essentially complete". He will be succeeded by Alan Brooks, a non-executive chairman since March 1993. Pre-tax losses were £10.2 million (£3.2 million loss). Coalite sales fell 27 per cent during the six months.

Lloyd's in record deal

LOYD'S OF LONDON and the London insurance market have participated in the world's largest ever reinsurance programme. It is part of a \$10.5 billion insurance package to cover homeowners in California against earthquake damage. The initiative follows the January 1994 earthquake that measured 6.6 on the Richter scale and caused £12 billion of damage, much of which was uninsured. Lloyd's has provided £129.5 million of cover, while the London market has provided a further £47.5 million. The shares are part of a \$2-billion reinsurance layer, which is one of six in the \$10.5 billion programme.

US buy for Burger King

GRAND METROPOLITAN's Burger King subsidiary has acquired 57 Burger King franchises in Florida and Georgia for \$55.6 million from Davgar Restaurants, a Florida restaurant holding company. Bob Lowes, chairman and chief executive officer of Burger King, said: "This acquisition of over 50 restaurants in a high growth area allows us to improve operations and profitability." Burger King completed a programme of rebranding last year which allowed the company to meet the expansion demands of franchisees and enabled the company to concentrate resources in its strongest geographical areas.

Rowland package

TINY ROWLAND, who ceased to be a director of Lonrho on March 2, 1995, received a total remuneration of £795,683 in the year to September 30. Lonrho's 1995 annual report shows. The figure was made up of £522,920 in salary, with an additional £272,763 accounting for benefits in kind, representing the costs he incurred entertaining overseas visitors. No compensation was paid to Mr Rowland when he left Lonrho, the report notes. In the previous financial year, ended September 30, 1994, Mr Rowland's total remuneration package was £1.56 million.

Jaguar director dies

DAVID BOOLE, director of communications at Jaguar, died yesterday, aged 48. He was one of the best-known figures in the British motor industry after a career that started in public relations at the British Leyland Motor Corporation (BLMC) in 1970. He worked in British Leyland and Jaguar Rover Triumph before becoming the company's director of communications and public affairs. He took his present job at Jaguar Cars in 1982 alongside Sir John Egan, who was then the company's chairman. Mr Boole lived at Dorridge, near Solihull, West Midlands, and leaves a wife, son and daughter.

Molecular buys in US

OXFORD MOLECULAR, which produces software for drugs design, yesterday announced the £9 million purchase of three small American businesses that will expand the group by a third. The purchases were financed by a one-for-seven rights issue at 235p per share that raised £16.2 million. The balance of the proceeds will be used to fund current operations. Oxford Molecular reported a pre-tax loss of £3.75 million on turnover of £5.2 million for the year to December 31, against a loss of just under £3 million on turnover of £2.7 million in the previous year. The shares, floated at 80p, closed at 324p, up 13p.

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Italy	7.42	7.42	
Japan	2.40	2.19	
Greenland	388.00	387.00	
Hong Kong	12.50	11.50	
Ireland	1.01	0.98	
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Japan	173.00	159.00	
Malta	0.580	0.584	
Netherlands	2.658	2.438	
New Zealand	2.50	2.17	
Norway	10.42	9.82	
Portugal	244.00	282.50	
Spain	16.00	16.00	
Sweden	11.12	10.52	
Switzerland	1.80	1.78	
Turkey	1.80	1.80	
USA	1.804	1.494	

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

Kleinwort Benson
PRIVATE BANK

Kleinwort Benson Private Bank announces that with effect from 1 February 1996 the Mortgage Account interest rate will be 7.49% per annum. The mortgage base rate is now 7.6% per annum.

Kleinwort Benson Private Bank is a Division of Kleinwort Benson Investment Management Limited Member of the Dresdner Bank Group

□ Alliance attempts to evade the legal knots □ Appalling precedent set by Kinnock □ Ken waves the One Nation flag

Last throw of the societies' dice

THE Alliance & Leicester's refusal to give details of the benefits of going public may infuriate its members, but the society is only trying to avoid the same legal knots that entangled the Cheltenham & Gloucester.

It is infuriating to win in the last proper round of the building societies' lottery but have to wait until the autumn to know what the size of your winnings. But there is already the possibility of a disaffected mob of claimants to rival the so-called C&G alternatives who caused such trouble in the shape of the Girobank account holders.

The C&G, keen to rush into the arms of Lloyds Bank, anticipated that union by promising rather more to members than it was entitled to. The eventual High Court ruling restricted pay-outs to those with accounts of more than two years' standing and excluded all borrowers.

The problem was that the C&G was handing out cash, driven by the unwillingness of Lloyds to see dilution of its shares. Other building societies that have converted have proposed share hand-outs, not subject to the same legal restrictions.

The Alliance & Leicester is no kinder than its predecessors on those who open accounts solely in the hope of benefiting from conversion. The caution shown by Peter White, its chief executive, over early revelation of the terms of conversion may be understandable. But his insistence that the society has been bundled in haste towards the market by too much heated speculation is rather less so.

There are precious few carpet-baggers perched on its books because of the £5,000 minimum investment needed to qualify.

His haste, therefore, might have more to do with stealing a march on the Woolwich and the Halifax in getting to the market first, although he denies this. What is certain is that once these have got there, just a quarter of the mortgage lending market will be in the hands of traditional societies. While many will mourn such a sudden transformation, it should be good news for borrowers and savers.

The skirmishing over mortgage and lending rates will intensify. The new banks will want to offer the most competitive rates possible to gain names on the books — so whom other financial products will be sold — and the old-style societies will have to follow suit.

The only spoilers are the Girobank account holders. They will feel they have lost out twice: once when the business was sold to the Alliance & Leicester in 1990, and now on conversion. It is true that the Girobank, greatly undervalued when the Government sold it, has contributed to the society's current prosperity.

But built account holders have never enjoyed the legal rights accorded to building society members, who evolved from a different ancestry. Consider the Midlands. No special payments were made at the time of the 1992 sale of the bank to the Hongkong & Shanghai — and none were demanded.

Every cloud has a state airline

BRUSSELS was always likely to permit Spain's latest bid to purchase Iberia Airlines. To start with, Air France, Olympic Air Lingus, Portugal's TAP and other flag carriers have already been given the nod.

More important, perhaps, it so happens that most of the EU's ailing state airlines are owned by

member states whose votes Germany needs for economic and monetary union, but which will themselves be excluded from it. For the next few years, the Commission is likely to back virtually anything they ask for.

This political largesse still has to be squared with other economic priorities in Brussels, notably the less restricted regime of airline competition to be introduced in 1997. To pass muster, state aid must make a plausible attempt to reform an airline to operate commercially thereafter and must not give them an unfair advantage over private airlines such as British Airways by giving the failures the most competitive new equipment.

Iberia was, therefore, allowed

less than it wanted and forced to sell its Argentine subsidiary to make up the difference. The trouble is that Iberia had its last chance three years ago, when Brussels approved a £650 million state rescue. Unlike others, however, it did not go through the de-manning and cost-cutting needed to meet its targets.

Poor Neil Kinnock, the EU Transport Commissioner, has gone through intellectual contortions to claim that the new package is the equivalent of a commercial market investment, not a state subsidy. This creates an appalling precedent for every one to have more "last chances".

Air France's £2.3 billion state rescue plan is not going too well. It might as well start working on its application now, if it has not already done so. Alitalia is already looking for £600-900 million, though Lamberto Dini is not keen, and his Government reckons Brussels' conditions are so tough that it is threatening recalcitrant pilots with them.

In the end, however, Brussels will not stop a big flag carrier from being rescued. So only efficient private airlines can lose



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Iberia was, therefore, allowed

from free competition. That means the 1997 liberalisation is doomed to disaster at the first nasty turn of the aviation cycle.

Clarke's Drift

THE RATHER anodyne official reason for Kenneth Clarke's polite refusal to attend the exclusive World Economic Forum starting today in Davos is pressure of work.

This seems strange given that there is not that much routine economic stewardship needed at the moment, not even the pleasure of meeting Eddie George and deciding to cut base rates. But we can now see what was really behind the Chancellor's wish to stay at home. He has been filling his days waving the One Nation Tory flag in the faces of his right-wing detractors.

He has defended the likelihood of a single currency, an extraordinary lack of loyalty to the agnostic line agreed by the Cabinet. With education still incandescent as a political issue, Mr Clarke also wants more

spending on training. He has now called into question one of his Prime Minister's key long-term economic aims, to get public spending below 40 per cent of GDP.

Our doughty Chancellor said he did not think that this was either possible or desirable in an advanced economy — not what John Major wants to hear from his own left-hand man.

In truth, the Chancellor is a One Nation one-man band, trying to close the blue water between his kind of Toryism and Mr Blair as fast as Mr Major and the right are trying to widen it. Lucky for Mr Clarke that Michael Portillo is safely tucked away in Davos.

Designer politics

TIME was when the political parties used to squabble over how many pop stars they could fit on board. Now it is businessmen. Sir Terence Conran is certainly a typical Thatcherite 1980s figure, in that he rode the takeover boom until falling off — now he clambers on to the Blairwagon. Perhaps executives should concentrate on what they do best, running businesses, and spare us their political views. Sir Terence's polling intentions are of no particular psychological relevance either: he has one vote, and so does everyone else.

Elf Enterprise venture to be taken apart

By CARL MORTIMER

ELF Enterprise Petroleum (EEP), the loss-making joint venture between Enterprise Oil and Elf, the French energy group, is to be taken apart and its North Sea assets shared between the partners.

The dismemberment of EEP is expected to lead to

asset sales as the reorganisation will give Elf and Enterprise separate control over the oil assets, which include shares in the Nelson, Piper, Salfire and Claymore fields.

The joint venture company, yesterday sold £236 million of shares in Enterprise Oil, the 12.9 per cent stake, formed

part of Elf's original investment in EEP and was used to raise £400 million of exchangeable bonds that are to be redeemed at par.

The shares were sold to EZW, Cazenove and Commercial Bank and have been placed with institutions at 364p. Enterprise will take a

£25 million provision in its results for 1995 as the shares were sold well below their book value of 477p.

The announcement of the share placing and provision caused Enterprise Oil shares to fall 9p to 372p. The oil assets of the joint venture will be split between the partners on a two-to-one basis reflecting the respective 66 per cent and 33 per cent interests of Elf and Enterprise in the company.

EEP was originally established to buy the assets of Occidental Petroleum. However, it has failed to make profits for the shareholders.

Andrew Shilton, the finance director of Enterprise, explained that EEP suffered from cost-overruns in the re-building of the Piper Alpha platform as well as the high rate of interest on the exchangeable bonds.

He said: "The sensible thing to do is to take advantage of interest rates and refinancing." Mr Shilton expects to reduce the interest on the bond debt by 1½ per cent.

Enterprise will benefit from direct ownership of 57 million barrels of oil after the deal, increasing daily production rates by about 30,000 barrels. Net debt will increase by £118 million, but the company expects that the restructuring will marginally enhance earnings from 1996 onwards.

Elf has been selling assets to reduce its debts and the unbundling of EEP should reduce its on-balance sheet borrowings and allow it to make sales.

Times, page 26

Fyffes has fire power for deals

By SARAH BAGNALL

FYFFES, the Dublin fruit and vegetable distributor that acquired half of Geest's banana business, yesterday said it was in a strong position to make further acquisitions.

Neil McCann, chairman, said that, in spite of two years' substantial expansion, its cash position remained strong and it "has the capacity to take advantage of attractive opportunities". Fyffes lifted its pre-tax profits from £136.1 million to £142.3 million in the year to October 31 on turnover up from £1874.5 million to £1.1 billion. Net cash rose to £168.5 million, from £156.3 million.

The final dividend, due on April 17, rises 10 per cent to £1.195p, making £1.6674p, up 10 per cent. Times, page 26

Ford results take turn for the worse

By A CORRESPONDENT

PROFITS at Ford Motor Co suffered a downturn in 1995, but the company anticipates a gradual improvement this year as it completes the launch of new models.

America's second-largest car manufacturer behind General Motors earned \$660 million in the fourth quarter, compared with \$1.6 billion in the final quarter of 1994. Revenues were \$34.5 billion, up slightly from \$33.6 billion.

Its key US automotive operations earned \$168 million in the final quarter, compared with \$145 million last year. Outside the United States, automotive operations incurred a loss of \$152 million, compared with a profit of \$374 million.

Ford reported earnings of \$4.1 billion, down 22 per cent from a record \$5.3 billion in 1994, while worldwide sales

and revenues rose to \$137.1 billion from \$128.4 billion. Alex Trotman, chairman and chief executive, said the company had a good first half, but problems emerged in the final six months. "Second-half automotive results were impacted by lower US production volume and an unprecedented number of major product launches," he said.

These included the new Ford Taurus, Mercury Sable, Ford F-Series pickup and the new Ford Fiesta and Ford Galaxy minivan in Europe.

Net income from Ford's worldwide automotive operations fell to \$2 billion from \$3.9 billion in 1994. Automotive profits dipped to \$1.8 billion from \$3 billion in the US, and plunged to \$213 million from \$911 million overseas. Ford sold 6.6 million (6.8 million) vehicles worldwide in 1995.

S&N saves only £8m in shake-up

By ALAN DAIN MURRAY

SCOTTISH & Newcastle, the brewing and leisure company, will save just £8 million this year from the integration of recent acquisitions Courage despite making a £150 million provision for job cuts and write-downs.

However, S&N said that the savings should rise to £45 million next year and reach £75 million by 1998.

The company intends to develop up to 1,000 new sites as Chief and Brewer restaurants. But development will be matched by the divestment of unprofitable sites.

S&N's brewing arm, Scottish Courage, will concentrate on premium brand lagers and beers, while the company's leisure interests will seek to expand in Belgium, the UK, France and Germany. The plans impressed the City and the shares rose 7p to 634p.

Ashtead expands in US

By CHRISTINE BUCKLEY

ASHTHEAD Group, the plant hire specialist, continued to defy the depressed construction sector yesterday by buying two more companies.

Ashtead paid £20 million for a US company and £16 million for an operation straddling the UK and Ireland, while launching a £66 million rights issue to fund the purchases and trim debt. McLean, which operates from Maryland and Virginia, will fit alongside Ashtead's depots in the south-eastern US.

Peter Lewis, Ashtead's chairman, said: "The dynamics... now clearly support the large and professionally managed plant hire."

Pre-tax profits in the six months to October 31 increased 32 per cent to £8.7 million, on sales that had risen 35 per cent to £43.1 million. The interim dividend, payable on April 9, was lifted 22 per cent to 0.65p.



Peter Lewis unveiled a profits rise of 32 per cent

LEGAL & PUBLIC NOTICES

0171-782 7344

PUBLIC NOTICES

CHARTERED SOCIETY OF THE LLOYD FAMILY
Notice for the shareholders of the company to attend the annual general meeting of the company to be held at the offices of the company, 10, Abchurch Lane, London EC4N 3DF, on Thursday, 22nd February 1996, at 10.00 am.

LEGAL NOTICES

IN THE MATTER OF THE COMPANIES ACT 1985
AND IN THE MATTER OF THE COMPANIES ACT 1985
NOTICE is hereby given that the annual general meeting of the company, 10, Abchurch Lane, London EC4N 3DF, will be held on Thursday, 22nd February 1996, at 10.00 am.

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STOCK MARKET

MICHAEL CLARK

American interest rate cut rekindles equities

HOPES of the American interest rate cut eventually came after hours enabled share prices on the London stock market to close at their best levels of the day after a volatile session.

Another record breaking performance overnight on Wall Street, that saw the Dow Jones industrial average soar more than 70 points, set the scene for an early mark-up in London.

But as the day wore on, the FT-SE 100 index saw an early 22 point lead reduced to just 5 points before bouncing back to close 24.0 up at 3,759.3. Turnover topped more than one billion shares for the first time this year.

But market-makers remained in a cautious mood, last night while they were still awaiting the outcome of the full Federal Reserve Open Market Committee meeting.

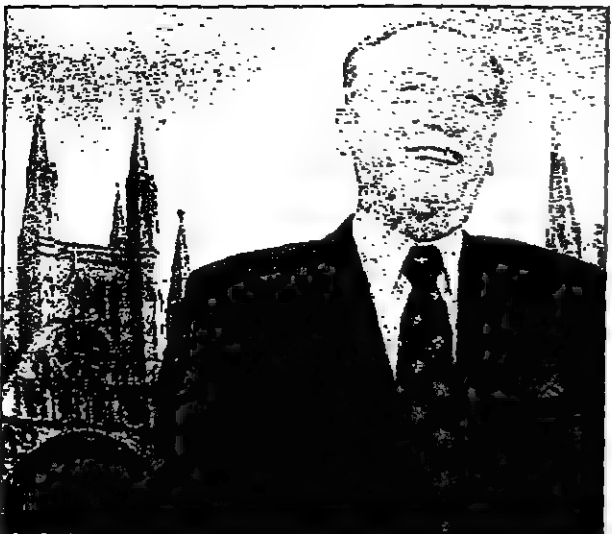
Later today the Bundesbank meets to discuss the possibility of another cut in German rates after a further softening in the repo rate yesterday.

In London, early interest remained focused on Hanson after the decision on Tuesday to split the group into four separate parts. Hanson dropped 9p to 202.4p as brokers tried to assess the consequences for shareholders of the move and speculate about the possibility of buyers emerging for various parts of the empire. A further 62 million shares had traded by the close.

Enterprise Oil fell 13p to 386p after Elf Enterprise Petroleum, a joint venture company between Enterprise and Elf Aquitaine, unilaterally increased its holding. As part of a bought deal BZW led a consortium that paid 360p for 63.72 million shares, 12.9 per cent of the company, worth an estimated £230 million. The shares were later placed with domestic and foreign institutional investors at 364p a share, bringing the consortium a profit of £2.5 million on the transaction.

The move is part of a plan to split up Elf Enterprise Petroleum's assets and debts in proportion to their respective stakes. It also includes plans to repurchase £407 million of outstanding bonds.

Persistent talk that a foreign bidder may be about to pounce sent shares of Yorkshire Electricity soaring 35p to 719p as turnover reached more than 1 million shares.

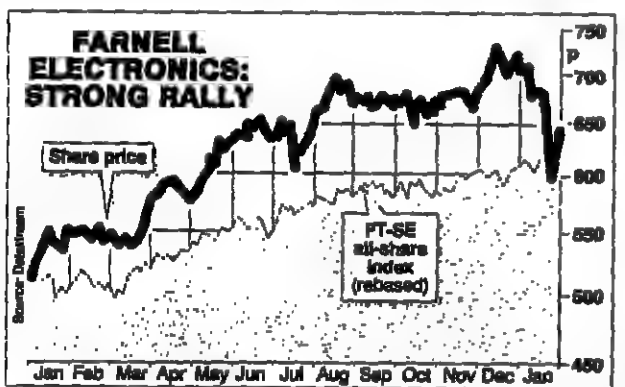


Lord Hanson yesterday. His shares fell after news of the split

Word is that a consortium of international banks, including several from Japanese, are putting together the funding for West Coast, a US utilities group, to make an offer of 300p a share. This would value Yorkshire at more than £1.2 billion. But any such move is likely to be postponed until after today's local by-election at Hemsworth.

offering numerous opportunities for revenue growth and cost savings. Henderson Crosthwaite was also behind a bid to 204p in Rolls-Royce. It has been suggested that Brian Newman of Henderson is about to publish some bullish comments. There is also talk that the group could be near to

clinging orders of \$1 billion at an air show in the Far East next week. Measures being taken to boost the French and German economies to prevent them sliding into recession could also be positive news for some British companies. Those with a strong presence in either country saw their shares marked higher. Pilkington rose 6.2p to 198.4p. British



Steel, 4.4p to 173.4p. Redland, 14p to 399p. ICI, 24p to 62p and RMC Group 30p to £10.26.

Lloyds Chemicals marked time at 445p, still waiting to see if Gehe of Germany launches a counter-bid. Lloyds is the subject of a bid of 412p a share from UniChem, valuing the entire company at £514 million. But after a period of intense speculation, Gehe finally admitted on Tuesday that it was considering making an offer.

Lloyds said yesterday that it planned to apply pressure to Gehe during the next few days to determine whether it intended to make such a bid. In the meantime, it has told shareholders to take no action.

JD Wetherspoons, the pubs operator, was busy playing down speculation that it is about to be bid for by Bass. A spokesman for the company said: "There is absolutely no foundation to this. Tim Martin, chairman, has no plans to sell out. We want to keep our independence."

The Wetherspoons share price responded with a rise of 1p to 748p. The company has quickly established itself in the drinks trade by offering cut-price beer, undercutting those pubs with exclusive supply agreements with the big brewers.

GILT EDGED: There was a positive response to the latest £3 billion auction, which was 1.96 times subscribed. But with the market having already taken this into account, prices then lost ground steadily, reflecting similar weakness on overseas bond markets.

Brokers described conditions as "nervous" with investors anxiously awaiting the outcome of today's Bundesbank meeting and tomorrow's US payroll numbers. In the futures pit, the March series of the long gilt finished £7.10 lower at £110.75 as a total of 87,000 contracts were completed.

In long-dated issues, Treasury 8 per cent 2013 fell £1.25 to £101.25, while at the shorter end of the market, Treasury 8 per cent 2000 was £2.10 easier at £104.75. NEW YORK: Industrials were lower in late-morning trading, but the overall market traded higher in anticipation of an announcement on interest rates. At midday, the Dow Jones industrial average was down 3.25 points at 5,377.96.

MAJOR INDICES

New York (midday):
Dow Jones 5377.96 (+3.25)
S&P Composite 632.33 (+2.18)

Tokyo:
Nikkei Average 20812.74 (+90.30)

Hong Kong:
Hang Seng 11359.70 (+158.24)

Amsterdam:
SOE Index 303.30 (+0.64)

Sydney:
All Ordinaries 2280.14 (+22.7)

Frankfurt:
DAX 2470.14 (+24.38)

Singapore:
Straits 2461.15 (+25.47)

Brussels:
General 6999.25 (+103.58)

Paris:
CAC-40 3021.03 (+17.50)

Zurich:
SIX Gen 732.40 (+4.10)

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TEMPUS

Breaking up is hard to do

AFTER suffering years of carping from juvenile scribbles, Hanson has decided to throw all its toys out the window. The directors of the company are now watching to see if anyone takes a fancy to the chemical plants, brick kilns, coal mines or cigarettes. Initially, critics applauded the strategic U-turn but inevitably the doubters have sharpened their pencils, asking questions about borrowing costs, tax and dividend policy.

Splitting up the group will inevitably raise Hanson's overall cost of borrowing as the smaller units will not command such fine rates. Moreover, the burden is likely to fall on tobacco and chemicals, which will take a disproportionately large part of the debt. The company believes that energy and building materials are growth areas requiring funds to invest. Tobacco and chemicals are good cash

generators but have lower capital spending needs and will be geared appropriately.

Tax is a puzzle and investors will have to wait while an army of lawyers agree a deal with the Inland Revenue but dividend payout rates are likely to fall. Starting with a blank sheet the mini-Hansons will have little reason to pay a premium yield.

A collection of dull assets will always be a collection of dull assets; their value depends in large part on what is done with them. The Hanson group made its name and achieved a high share rating in the 1980s by extracting cash from low-growth businesses but the premium rating attached to the management, not the assets. New managements will have to prove their worth and in the meantime the best hope for a short-term pay-back is bids for mini-Hansons.

Enterprise Oil

Elf Enterprise Petroleum has been a millstone around the neck of Enterprise Oil for some years. Having paid a high price for the Occidental Petroleum assets in 1991, efforts to bring EEP into profit have been hamstrung by huge costs in rebuilding the Piper platform.

Last year, the joint venture suffered losses of £335 million, including a £282 million asset writedown.

EEP still generates cash, an important factor for Enterprise, whose strategy is maximum distribution to shareholders. But the loss-making joint venture proved an easy target for critics at the time of the unsuccessful bid for Lasso. Unsurprisingly the joint venture will allow Enterprise to redeem the high-yielding bonds and refinance at much better

Fyffes

FYFFES is a company driven by acquisitions and its continued success reflects an ability to buy well and then boost performance.

New businesses accounted for 41 per cent of the increase in operating profits last year, but underlying growth was still pleasing, with a 17 per cent cash advance.

Even after the recent deal over the Geest banana business, Fyffes's balance sheet is strong and cash generation is good, leaving scope for further acquisitions. In cash terms, the Geest deal is a joint venture with Whidco, a co-operative of Windward Island growers, absorbed only about one year's free cash generation.

Fyffes now supplies half of the UK banana market, but it is too early to judge the potential return from the deal: banana prices have been weak and the business has been plagued in the past by disease and hurricanes.

However, rather than sink into the UK construction quagmire, Ashtead has expanded its horizons: forays into the healthier US market and diversification into inspection plant used by telecoms and cable TV companies have bolstered the business. Such is the changed nature of the company that construction industry orders account for less than 45 per cent of group sales, down from 80 per cent five years ago.

A more imaginative pricing policy — by which customers have more flexibility to negotiate costs — has improved plant utilisation. Staff are also given incentives by profit-sharing on a monthly basis.

Ashtead's acquisition programme has propelled it into the big league of hirers in a still fragmented industry, but the company is still of a size to offer good growth prospects.

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Is this the face of an innocent girl or a terrorist?

Lori Berenson has been found guilty of treason in Peru. Now her despairing parents reveal why they believe justice was not done

IT WAS supper time on December 1, 1995 in the New York apartment of college lecturers Mark and Rhoda Berenson when the telephone rang. Mrs Berenson was alone because her husband was in Boston at a conference. She expected it to be him, she lifted the receiver. From the end of the line, however, came a woman's voice: "Mrs Berenson? This is the State Department in Washington. I'm afraid we have some bad news about your daughter, Lori."

The US State Department official relayed that Lori, aged 26, had been arrested in Peru on suspicion of aiding a terrorist plot to blow up the parliamentary building in Lima. She had been charged with treason.

So began, for Rhoda and Mark Berenson, an ordeal which has tested their spiritual and financial resources, has taken them on a fruitless trip to find their daughter in a prison in the Andes, and has all but exhausted their belief in South American justice.

On January 11, Lori was found guilty and was handed a life sentence by a military judge. As her father, hit by a despair that most parents will only know in their worst nightmares, said this week: "It is a living bereavement."

Lori, an energetic, idealistic young woman, finished her two years' studies at Massachusetts Institute of Technology to explore Central and South America. She had a stint in Nicaragua, then El Salvador, where she was briefly married. Mark and Rhoda had brought up Lori and her older sister Kathy to be independent, and though the short-lived marriage seemed a waste, Lori survived.

She wrote wonderful letters home. They bubbled with recipes, descriptions of her needlework and ethnic music. In time she headed for Peru, hoping to write for a New York magazine. With its letter of accreditation she was allowed in to the parliament buildings. The letters home continued. They read like the typical jottings of a liberal, brainy youngster who has sat through the sort of anthropology classes which introduce American college students to an earnest socio-babble.

In Lima, however, Lori fell into bad company. She was introduced to a group which included leading members of the Tupac Amaru Revolutionary Movement. Lori may not have known that they were Marxist hotbeds, but the Peruvian secret police did, and when they discovered alleged plans for an attack on the Government, they swooped. Lori, whose handwriting was allegedly found on scraps of paper, was arrested by plainclothes policemen on a crowded bus. At first she thought it was a kidnapping attempt, and resisted.

As a bruised Lori was pushed into a waiting police van, Mark and Rhoda Berenson were dining at the National Arts Club in Manhattan. It pains Mark to think back to that night, and he has not returned to the club since.

Friends say that Rhoda has been the strong one, keeping to her physics teaching commitments and bolstering Mark and Kathy. "I'm a controlled person," she says, sitting in the drawing room of the flat which has been home for more than 20 years. Against one wall is the piano that Lori played when she was small. As Rhoda speaks, her eyes occasionally mist over and she forgets the things one does when a stranger arrives — turn on the lights, boil the kettle.

Mrs Berenson certainly

showed control the night of the State Department's call. Knowing that Mark, in Boston, would stay up all night with worry if she broke the news, she did not tell him until the next morning. "I had a few more hours of freedom," he said, "but then the nightmare began." As soon as he heard what had happened, Mark flew down to New York, then to Lima, where he was allowed to visit Lori in her police cell. When he returned to resume charge of his statistics class at New York's Baruch College, Rhoda replaced him in Lima for ten days. The Berensons have been together for more than 30 years (since Mark was 16 and Rhoda was 15). This was the longest they have been apart since they married.

The end of that trip was a low point. Rhoda telephoned Mark in New York with the latest news about Lori. "You mean she isn't coming back with you?" Mark asked.

Upstairs, Lori's childhood toys lie forlornly in a box in her old bedroom, which Mark has turned into an office. Pictures of her adorn a shelf in the drawing room. In one of them, Lori, aged four or five, is wearing the military boots and cap which Mark used during his spell of National Service. "Better not photograph that one," he says, suddenly wary that the snapshot might be seized on by Peruvian media as an indication of an early bellicose bent in Lori.

The Peruvian people have not warmed to her plight. To understand, we should perhaps imagine that an American has been arrested for alleged links with an Irish terrorist group. The stakes were raised when President Fujimori went on Peruvian television to announce that the police, in their search for the culprits of the plot, had caught a "North Americana". "Once the president did that, her fate was probably sealed," Rhoda says.

The Berensons accept that Lori was in bad company, and Mark concedes that there may be a case to answer, but their complaint is with the way it has been conducted. The military court which found Lori guilty had no jury, and the judge, in a possibly blatant act of politicising, passed a sentence heavier than the prosecution had called for. By most standards of justice, it was an unsatisfactory piece of work.

Since the sentencing, Lori has been moved to Yanamayo prison in Puno, high in the mountains near Lake Titicaca. Conditions are harsh. Newcomers must first cope with altitude sickness, then the cold. There is no heating, no hot water — and no glass in some of the windows. Inmates stuff the windows with bedding. With no cooking facilities available, any food brought by outsiders must be eaten raw. Tins are out of the question — no can openers or knives are permitted — and when the Berensons arrived at the prison last week with provisions, several were turned away. The metal toothpaste tube was undone, the paste scraped into a plastic bag, and the empty container handed back to Rhoda.

Red, green or black clothes are not allowed at Yanamayo, for they are considered rebel colours. When Lori arrived she was dressed in thin summer clothes. Her parents took her warmer (beige) clothes, a blanket, and are now sending a sleeping bag. But they were not allowed to see her. The commandant declared that he was a human being first, a soldier second, and owing to "regulations", and on account of a lack of written permission from the Ministry of Justice in Lima, he was unable to let the Berensons inspect their daughter. Instead, they had to



Lori Berenson photographed last month under arrest at Lima's anti-terrorism unit



Lori's mother, Rhoda Berenson, and (right) Lori dancing with her father, Mark

communicate with Lori via handwritten notes which the commandant asked an interpreter to translate. In the early hours when Mrs Berenson has not been sleeping, she has found herself thinking back to Lori's youth, trying to identify character-forming moments when she became a sympathiser of the downtrodden. There had been an incident in the school playground when eight-year-old Lori took the side of an unpopular girl. She came home indignant at the unfair-

ness of it all. Was this the incident which led to her championing of native Peruvian rights, and trying to summon doctors for her fellow prisoners (thus incurring the further wrath of the prison guards)?

Lori was an independent girl. Aged 12 she announced that she was moving to Long Island for the summer to work as a live-in babysitter. She learnt to cook plum pie, looked after her ward, and grew up fast. There seems to have been little time for the selfish hedonism of youth. "She was always busy, with not enough time to sit around," Rhoda says. At school she read a lot — Gabriel Garcia Marquez and Isabel Allende — and books about Inca culture and South American traditions. There have been telephone calls, natters shouting abuse, but also supportive strangers, such as a woman from Ohio

who said she was unable to sleep at night such was her worry about Lori. Others have sent money, which the Berensons have returned. The Internet has brought them a large e-mail bag, and human rights organisations telephone to offer their help. "Congressman Joe Kennedy called yesterday," Rhoda says.

Little things set off tears. Before she was arrested, Lori made a tape of Peruvian love songs for her father's birthday. It is now in the hands of the police. Mark asked to be allowed to make a copy, but the officials refused. Before going to bed each night, he now listens to an earlier tape Lori made. He rations himself to one song a night. "It's all I may have for the rest of my life," he says.

Rhoda, who disclosed that her husband has moments of "unrelenting sadness", described how in the first few days she would wake and think, "Maybe all this will go away if I stay under the covers and refuse to come out — but then you realise that by doing things, by speaking to people, you are helping." When, having trekked all the way up into the Andes, they were refused permission to see Lori, they had reached such a state of numbness that they simply shrugged. There were no tears left.

"It is a Kafkaesque system. Clemency does not seem to be part of the vocabulary, although repentance is," Rhoda says. Both have lost weight, and Mark is still not able to enjoy food. "I just imagine that I am eating for Lori," he says. The legal prognosis is not entirely gloomy. The Beren-

Ooh aah Cantona the film star

Forget Arnold Schwarzenegger or Gerard Depardieu. France's latest movie heart-throb is the enfant terrible of football, as Ben Macintyre discovers



Eric Cantona (second left) plays a young peasant in *Le Bonheur est dans le pré*

Some Frenchmen dream of becoming film stars, while for others there could be no higher aspiration than performing a kung-fu kick on an English football fan before a live television audience. In the space of one year Eric Cantona has achieved both, confirming his status as France's least likely cultural icon.

More than half a million French people have paid to see the enfant terrible of soccer in *Le Bonheur est dans le pré* (Happiness is in the meadow), a film directed by Etienne Chatiliez, which was released last month to huge critical acclaim.

A gentle and witty evocation of French rural life, *Le Bonheur* shot to number three at the French box office, just below the latest James Bond film *Goldeneye*, and has now been nominated for six awards by the French film industry.

The film owes at least some of its success to the 29-year-old Cantona, who plays a muscular young peasant courting a provincial farm girl. His role is largely restricted to sitting at a kitchen table wearing a vest, looking moody and passing the odd remark in his impenetrable Marseilles accent.

This is not Oscar material, but its effect on French cinema audiences is electric. When I watched the film in Bordeaux, the audience did not chant "Ooh aah Cantona" as they are wont to do at Old Trafford, but that was plainly what they were thinking when a ripple of applause ran round the cinema as he filled the screen.

Long before he launched himself feet-first at Crystal

Palace supporter Matthew Simmons a year ago — earning himself an eight-month suspension and the time to take up acting — Cantona had carved out a reputation as a man of many and unexpected parts.

A devotee of the poet Rimbaud, Cantona's behaviour on the field has more often resembled that of Rambo. A poet, amateur philosopher, violinist, abstract painter and artist of the floating ball, the combi-

French opinion is obsessed with, and sharply divided over, the country's most controversial export.

nation of aesthete and thug is one that has earned him a cult following in his native land. Yet French opinion remains obsessed with, and sharply divided over, its most controversial export.

To his supporters Cantona is a symbol of Gallic pride, handsome, aloof, and flâcheur, like all great French artists, to explode without warning, his astonishing ball-control being commensurate with his lack of self-control.

Cantona's French detractors, however, regard him as a national embarrassment, less on account of his volatile temper than because of his intellectual pretensions. As a philosopher, Cantona is

hardly in the premier league, despite a bestselling collection of his musings that includes such profundities as: "Without spontaneity you can't succeed" and "I say to myself that I'm only passing through".

Cantona is a regular target on *Les Guignols*, the French equivalent of *Spitting Image*, where he appears dressed as Picasso and spouting pseudo-philosophical claptrap. He was brought up in a house converted from a cave carved out of the hillside at Caillols near Marseilles — and there are those who consider him to be a Neanderthal who has managed to memorise some lines by Rilke.

But the story of Cantona's fall from grace last year, when he became the first soccer professional to attack a spectator in modern times, and his restoration is an odd mixture of melodrama and farce peculiarly appealing to French tastes.

Indeed, the plot of Cantona's personal odyssey is mirrored by that of *Le Bonheur est dans le pré*. The film tells the story of a stressed and manic city businessman who finds bliss when he takes on the identity of another man (along with his wife, his two daughters and his *foie gras* farm) deep in the French countryside.

Cantona's allure lies in his talent for the unanticipated, leaving the impression that he has very little notion of what he might do next. Anything seems possible, from a career in French politics to performance art to grievous bodily harm.

As Rimbaud once wrote: "He has, perhaps, the secret for changing life."

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Profits up by 11% at Allied Textiles

By MARTIN BARROW

ALLIED Textile Companies, the manufacturer and distributor of textile products, achieved a 11.2 per cent rise in profits last year, in spite of weak consumer demand and the adverse impact of volatile raw material prices.

Profits improved to £18.9 million before tax, from £17 million in the year to September 30, on turnover that improved by 25.6 per cent to £211.4 million from £168.3 million. Overseas sales now account for more than 50 per cent of production.

Peter Honeysett, chairman, said that the long hot summer had made an impact on consumer demand, putting further pressure on retailers, while the industry confronted substantial increases in raw materials.

The company's natural fibres business bore the brunt of the hot-weather problems, seeing profits ease to £9.5 million from £9.7 million. Carpets remained a problem area and, despite cost-cutting, profits remained almost unchanged at £600,000, compared with £500,000, on sales that rose to £39.6 million from £36.5 million.

Most of the increase in pre-tax profits came from synthetic fibres, operating mainly in industrial textiles, which lifted earnings to £6.8 million from £5 million.

Mr Honeysett said that the company's appetite for growth by acquisition was "far from satisfied" and suitable opportunities were being sought. But, so far, the company's aspirations had been frustrated.

Earnings rose to 19.5p a share from 18.1p. There is a final dividend of 4.8p a share, making a total of 7.3p (6.8p). The shares rose 1p to 241p.



Threading a path: John Corrin, chief executive of Allied Textiles, meeting staff during a tour of inspection at the company's Birkhead Mill

Sales drive proves costly as Vauxhall profits crash

By KEVIN EASON, MOTORING EDITOR

VAUXHALL has disclosed the impact that discounting and huge advertising budgets had on its profits last year. The British subsidiary of General Motors saw its pre-tax surplus slump from £79 million to £3 million as it shouldered the heavy financial burden of trying to attract private buyers.

The company was also hit by industrial action, which cost output, and lost sales as its biggest plant, at Luton, Bedfordshire, switched from the outgoing Cavalier model

to the new Vectra. Vauxhall blamed "severe and costly competitive action in a stagnant UK market" for the big drop in profits, which fore-shadowed a new round of cost-cutting by Britain's third-biggest carmaker.

The results were in stark contrast to those of Vauxhall's American parent, which this week posted record profits of \$6.9 billion for last year, with big increases in the United States and Latin America. Charles Golden, Vauxhall's

chairman, said: "The reluctance of UK private buyers to take the plunge and buy a new car highlighted the persistent lack of confidence which has had a numbing effect on the retail car market."

Total motor industry registrations of new cars rose by 1.8 per cent last year, but that increase masked a fall of 2.5 per cent in sales to private buyers through showrooms. They are the customers that the motor industry has been unable to woo, forcing car-

makers to offer big discounts and incentives, such as free insurance, cheap finance and costly extra equipment.

The effort did not pay off for Vauxhall. British sales fell 5.3 per cent to 294,131 cars and vans, leading to a drop in total sales of 1.5 per cent to 420,727. Production from Luton and its sister British plant at Ellesmere Port on Merseyside fell 7.3 per cent to 242,899, although that was mainly because of the changes at Luton.

However, the company did

achieve a 10.3 per cent increase in exports to 103,300, with Ellesmere Port increasing overseas sales of its Astra model by 48 per cent.

Mr Golden, accompanied by the gloomy announcement that the problems of the British motor industry since recession were not yet over.

Vauxhall was hit by pay strikes towards the end of last year, and now Ford, its biggest competitor, faces a similar action.

Mr Golden said: "As an industry, we are far from out of the woods in terms of global competitiveness. Now that our three-year pay agreement has been accepted by the workforce, we have to concentrate on further cost reduction to improve Vauxhall's results."

The all-new Vectra has a leading role to play in support of our competitive position in the UK market. While a depressed market is no help in launching a new product, we are very pleased by the reception of the new car in its early phase."

BUSINESS ROUNDUP

Eurodis Electron moves ahead

EURODIS ELECTRON, the pan-European distributor of electronic components, reported profits of £4.64 million before tax and exceptional earnings for the six months to November 30. The results include a four-month contribution from the Eurodis Group, based in Switzerland, which merged with Britain's Electron House in August 1995. The company also earned a £9.45 million profit from the sale of discontinued businesses, to give total pre-tax profits of £14.1 million, compared with interim profits of £2.5 million last time.

Earnings, excluding the impact of disposals, were 6.2p a share, compared with 6p. The interim dividend is increased 19 per cent to 21.85p a share, payable on April 9. Yesterday, the shares fell 4p to 294p. Year-on-year comparisons are likely to be further clouded by the acquisition of TC-DIS, a French electronic component distributor, for £7 million last month. Robert Leigh, chairman, said that sales were up 15 per cent on a like-for-like basis. Markets were now growing at more normal rates of between 10 and 15 per cent.

Zetters down at half time

ZETTERS said its football pools business has been severely affected by competition from the National Lottery. Football pools sales dropped 9 per cent and operating profits more than halved to £307,000 in the six months to September 30, compared with £830,000 in the corresponding period of the previous year. Group pre-tax profits were reduced to £593,000 from £690,000 previously, including worse performances from investments and spot the ball games. The interim dividend is held at 5p a share, payable from earnings of 5.9p (6.9p). The shares were unchanged at 129p.

TI sells three businesses

TI GROUP, the specialist engineering company, announced the sale of three of its non-core smaller engineering businesses for £44 million. TI Desford Tubes, TI Matrix Engineering and Hollow Extrusions have been sold to the Hay Hall Group, whose acquisition has been funded by Legal & General Ventures. The three companies reported aggregate sales of £55.7 million in 1994 and pre-tax profits of £4.5 million. Net asset value at the end of 1994 was £24.4 million. TI said the sale would give rise to an exceptional gain in 1996 of about £22 million.

Polygram in TV deal

POLYGRAM, the music and entertainment company, has teamed up with Bob Geldof's Planet 24, which produces *The Big Breakfast* and *Hotel Babylon* television shows, and Warsaw's Atomic Entertainment to launch a cable music channel in Poland. Polygram will hold a 40 per cent stake in the venture, while Planet 24 will hold just under 30 per cent. AtomicTV, the channel's name, is to be launched in April, with an estimated start-up cost of about £1 million. Its format will be based on MTV and it will broadcast entirely in Polish.

Porvair advances

PORVAIR, the manufacturer of microporous synthetic materials, reported a rise in pre-tax profits to £5.1 million, from £3.1 million, in the year to November 30. Turnover rose to £99.9 million from £91.3 million. Profits benefited from a maiden contribution from Selee Corporation, a US-based maker of ceramic filtration products acquired in June 1995 for \$27.8 million. The acquisition was accompanied by a £20.3 million rights issue. Earnings were 18p a share, compared with an adjusted 13.7p. A final dividend of 3.7p a share, payable on April 9, lifted the total to 5.4p from 4.5p.

BAe to make second-hand fleet pay its way

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

BRITISH AEROSPACE is overhauling the way it runs its \$2 billion fleet of 500 second-hand aircraft, accelerating the drive to turn a hefty liability into an asset.

The aim is to get 70 idle turbo-prop commuter planes back into the air with operators, bringing in additional

revenue and helping to improve the value of the second-hand fleet and bolster demand for new Bae planes.

That would underpin a recovery in the fortunes of Bae's commercial aircraft operations, which were losing more than £140 million a year.

Bae's turbo-prop leasing arm, JSX Capital Corporation, has 300 19-seat Jetstream 31 turbo-props in its \$1 billion fleet, and 70 of them are idle.

The company successfully placed 50 larger ATP turbo-props as well as a mixed fleet of 50 aircraft acquired in trade-in deals for new Bae planes.

Now JSX is to be merged under a single management with Bae's Asset Management Organisation (AMO), which has succeeded in re-leasing Bae's fleet of 110 Bae-146 "whisper jets", improving revenues and aircraft prices in the process.

The head of Bae's new Asset Management Division will be Tony Rice, previously Bae's treasurer, who played a key role in helping Airbus set up its own leasing arm. The finance director will be Bob Wheeler, who was previously finance director at Avro. Bae hopes it may eventually be able to release some of the £1.5 billion of provisions taken against the regional aircraft business since 1992.

ACCOUNTANCY

Touchy question of compliance

Ann Lamb on how firms meet the legitimate demands of share analysts for information

Markets depend on the free flow of information to make them efficient. So how does the process of communication between a director of a public company and an investment analyst help the market to function better?

How long does it take for the information gleaned from such a meeting to reach the market, and how can it be seen to take place without the appearance of privilege being granted to any specific group?

These are some of the issues addressed by Dr Claire Marston, of the University of Northumbria. In a report *Investor Relations: Meeting the Analysts*, just published by the Research Committee of The Institute of Chartered Accountants of Scotland.

Based on the findings from a survey of more than 500 of the United Kingdom's largest companies of their perceptions of the meetings held by companies for analysts and fund managers, it confirms such meetings are a firmly established part of the companies' investor relations programmes. In particular, the meetings were considered to be an important addition to

the financial reporting process. The survey was conducted during 1993 and 1994, the period immediately preceding a revision of legislation and Stock Exchange guidance, when favouring important investors in this way appeared to be contrary to the spirit of the law and regulation.

With subsequent confirmation of that spirit in the new regulations, a period of stability is now needed to assess effectiveness and to allow companies and analysts to adjust, says the report.

Companies in the survey faced a difficult task in steering a course between compliance with the complex rules and meeting the legitimate demands of analysts for information. In some respects it would have been easier not to hold such meetings, since this would have ensured equal treatment for all investors and potential investors.

Despite this, the survey results showed that the companies believed the meetings were the most valuable form of communication with investors at which a wide range of topics relating to past performance and future prospects could be discussed. The results also



Ann Lamb says companies are handling a difficult task

brought out the important distinction between the two main categories of meeting. First, general meetings held for a wide audience from a range of stockbroking firms and institutional investors; and second, special meetings held for an individual or a small group from one organisation. Although special meetings

of meetings between companies and analysts but recommends great care to avoid the release of price sensitive information. It stresses the importance of achieving equal access to information for all users, and suggests detailed records of all meetings held between investment analysts and directors of quoted companies should be disseminated to the market as soon as possible after the meeting using the Stock Exchange's Regulatory News Service and the Internet.

For the future, the report recommends equal access to information. In particular, it suggests that greater use of the Operating and Financial Review should be encouraged to increase the available published information on the performance of a business.

A Research Committee project addressing the wider issues of the business information needs of users and of corporate communications is under way to develop a model of communication to meet those user needs. *Investor Relations: Meeting the Analysts*, published by The Institute of Chartered Accountants of Scotland, 27 Queen Street, Edinburgh EH2 1LA. Telephone: 0131-225 5673.

Ann Lamb is an assistant director of accounting and auditing at The Institute of Chartered Accountants of Scotland.

KPMG cycles boldly into brave new world

AFTER all the years of worry, it must seem an awfully simple thing to have done. In fact it is probably akin to the feeling children have when they first ride a bicycle. After days of thinking it an impossible skill to master, suddenly there they are careering along wondering how it had ever seemed difficult.

Colin Sharman, KPMG's senior partner, must feel something similar. For years journalists have savaged senior partners over the refusal to produce annual accounts. There was no logic to their actions. All their clients produced an annual report and accounts and it was the large audit firms that certified that the figures were true and fair. How could the firms themselves not produce a set of accounts and allow the financial world to see how they had fared?

This week KPMG did just that. And now that the report and accounts is published and the first wave of interest at the size of partners' earnings has passed it must seem extraordinary to everyone on the inside of the firms that none of them has done this before. Like riding a bicycle, it is a simple feat. But once done never to be feared in the same way ever again.

There are quibbles. This set of accounts was not audited in the real sense of the word. "Subjected to internal audit procedures" is not the same thing at all.

But next year the figures will have to be audited. As from this morning KPMG Audit plc is up and running. The bright new silvery plaque has been up for a while now (brass plates being considered rather old-fashioned, the fashion for "retro" not having reached accountants yet).

The front-runner for the audit position is still the National Audit Office. Sharman is fond of the idea. It would be a brave decision and one that cocks a bit of a snook at the medium-sized firms, which might have hoped for the job. In that league, Buzzacotts are still the front-runners.

The format of the accounts has also meant that there could be a degree of suiting yourself. The detail in the accounting policies gives it away. "The financial statements have been prepared in accordance with applicable accounting standards adapted as necessary to partnership circumstances," it says. This is why working out the amount the partners have paid themselves is so hard.

Under the points system, everything is, as Sharman put it, "divvied up". But the way it

is shown in the published accounts means that several elements are artificially separated to be shown in what the firm sees as a corporate format. So to find out that Sharman earns just under £750,000 means combining three different figures.

And to calculate the individual partners' earnings in a traditional corporate banding system you have to add on a rule-of-thumb half-as-much-again to take account of proprietorship profit and pensions. It is a quibble. But given that these were not audited accounts there is no reason why totals could not have been given also. KPMG would probably argue that directors of companies are allowed to make pension arrangements as opaque as possible so why shouldn't they?

There are other quibbles. There is no statement of total recognised gains and losses. There is no reconciliation of "shareholders' funds". Presumably as the partnership is the shareholders they do not mind about that. It is the lack of a relationship with outsiders that makes the whole document feel lopsided.

If this is a report with accounts there needs to be more of a feeling of the responsibility and interests of the owners. Without an audit certificate and the feeling that stakeholders are on the other side of the accounts, the whole effort feels strange and somehow without purpose.

This will be the problem as partners, or directors as they will have to be in the plc, become more like employees than partners. The twisting of a partnership ethos to resemble a corporate relationship is going to be an interesting evolution.

But the important point is that a head, and a large one given that it is Sharman's, is above the parapet. His senior partner's statement is similar to many a chairman's view of the world. The year has been tough, but we have done well. The future looks tough, but we will come through. Clients will know how to read between the lines. There is a confidence there.

In the future, people will wonder why the firms never published such documents before. It already seems absurd that other firms, with the exception of Ernst & Young, are not committed to such a step. Perceptions change swiftly. One step can alter everything. Like a child's view of the world from a bicycle, nothing will ever seem the same again.



ROBERT BRUCE

Time for an audit

IN the notes to KPMG's first report and accounts there is a line which must worry partners. In the policy note on work-in-progress it says "the effect on proprietorship profit for the year of the exclusion of partners' costs is not material". Partners' costs not material? Time for an audit.

On deck

SHEILA MASTERS, the feisty KPMG partner and fa-

vourite for the post of English ICA president, made a somewhat lacklustre appearance on the BBC Question Time television programme last year. And now the corporation looks likely to pay for that. KPMG won the BBC audit - and celebrates the fact with a photograph of its proud audit team in its new report and accounts.

Dead centre in the picture sits Masters, wearing what appears to be the uniform of

an admiral. John Birt will be back swabbing the decks, ere long.

News sleight

WHEN news broke of the Duchess of York's financial difficulties, BBC Television's *Newsnight* team rang the English ICA to see if they could supply an accountant expert to talk about the financial issues. But another chance to impress the nation slipped its grasp.

No pundit was provided. And the member of the secretariat who was suggesting vociferously that the Duchess should give up budgets and take up racing pigeons instead was ruled to be irrelevant.

Great and Good

TIM GOOD'S office overlooks the river at Oxford. As chairman of PTP, the tax consultancy service, he was gazing out of his window recently,

mulled over a client's query. Imagine his surprise when a passing rowing crew appeared to be shouting and gesticulating furiously at him. Surely the topic of capital gains could not inflame such passions? The solution was simpler. The office building is shared with the local Conservative association. And unbeknown to Good, the gesticulations were aimed at a large sign adjacent to his office window which read: "Oxford West and Abingdon Conservative Association".

ROBERT BRUCE

Shares close at best of day

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	1553	1552	1551	1550	1549	1548	1547	1546	1545	1544	1543	1542	1541	1540	1539	1538	1537	1536	1535	1534	1533	1532	1531	1530	1529	1528	1527	1526	1525	1524	1523	1522	1521	1520	1519	1518	1517	1516	1515	1514	1513	1512	1511	1510	1509	1508	1507	1506	1505	1504	1503	1502	1501	1500	1499	1498	1497	1496	1495	1494	1493	1492	1491	1490	1489	1488	1487	1486	1485	1484	1483	1482	1481	1480	1479	1478	1477	1476	1475	1474	1473	1472	1471	1470	1469	1468	1467	1466	1465	1464	1463	1462	1461	1460	1459	1458	1457	1456	1455	1454	1453	1452	1451	1450	1449	1448	1447	1446	1445	1444	1443	1442	1441	1440	1439	1438	1437	1436	1435	1434	1433	1432	1431	1430	1429	1428	1427	1426	1425	1424	1423	1422	1421	1420	1419	1418	1417	1416	1415	1414	1413	1412	1411	1410	1409	1408	1407	1406	1405	1404	1403	1402	1401	1400	1399	1398	1397	1396	1395	1394	1393	1392	1391	1390	1389	1388	1387	1386	1385	1384	1383	1382	1381	1380	1379	1378	1377	1376	1375	1374	1373	1372	1371	1370	1369	1368	1367	1366	1365	1364	1363	1362	1361	1360	1359	1358	1357	1356	1355	1354	1353	1352	1351	1350	1349	1348	1347	1346	1345	1344	1343	1342	1341	1340	1339	1338	1337	1336	1335	1334	1333	1332	1331	1330	1329	1328	1327	1326	1325	1324	1323	1322	1321	1320	1319	1318	1317	1316	1315	1314	1313	1312	1311	1310	1309	1308	1307	1306	1305	1304	1303	1302	1301	1300	1299	1298	1297	1296	1295	1294	1293	1292	1291	1290	1289	1288	1287	1286	1285	1284	1283	1282	1281	1280	1279	1278	1277	1276	1275	1274	1273	1272	1271	1270	1269	1268	1267	1266	1265	1264	1263	1262	1261	1260	1259	1258	1257	1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245	1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233	1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221	1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209	1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1197	1196	1195	1194	1193	1192	1191	1190	1189	1188	1187	1186	1185	1184	1183	1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171	1170	1169	1168	1167	1166	1165	1164	1163	1162	1161	1160	1159	1158	1157	1156	1155	1154	1153	1152	1151	1150	1149	1148	1147	1146	1145	1144	1143	1142	1141	1140	1139	1138	1137	1136	1135	1134	1133	1132	1131	1130	1129	1128	1127	1126	1125	1124	1123	1122	1121	1120	1119	1118	1117	1116	1115	1114	1113	1112	1111	1110	1109	1108	1107	1106	1105	1104	1103	1102	1101	1100	1099	1098	1097	1096	1095	1094	1093	1092	1091	1090	1089	1088	1087	1086	1085	1084	1083	1082	1081	1080	1079	1078	1077	1076	1075	1074	1073	1072	1071	1070	1069	1068	1067	1066	1065	1064	1063	1062	1061	1060	1059	1058	1057	1056	1055	1054	1053	1052	1051	1050	1049	1048	1047	1046	1045	1044	1043	1042	1041	1040	1039	1038	1037	1036	1035	1034	1033	1032	1031	1030	1029	1028	1027	1026	1025	1024	1023	1022	1021	1020	1019	1018	1017	1016	1015	1014	1013	1012	1011	1010	1009	1008	1007	1006	1005	1004	1003	1002	1001	1000	999	998	997	996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THE TIMES UNIT TRUST IN EQUITY

PHONE ACCESSORIES

PHONE ACCESSORIES



■ FILM 1

Victor Hugo is transposed and trampled as Claude Lelouch turns *Les Misérables* into a 20th-century epic



■ FILM 2

Steve Martin goes wholesome in a largely unfunny comedy, *Father of the Bride Part II*



■ FILM 3

Sex, crime and punishment: classic Russian themes, intriguingly explored, in *Katia Ismailova*



■ FILM 4

Withnail & I is back in the cinemas to mark the cult British comedy's tenth anniversary

Hugo clawed beyond recognition

CINEMA: Geoff Brown flinches as Claude Lelouch brings his eccentric vision to bear on *Les Misérables*

My files contain a yellowing press release modestly announcing "the movie event of the century". Shooting, it appears, will begin in January 1991 on *Les Misérables* — the musical. Cameron Mackintosh will produce, and the pounding talent of Alan Parker will direct. Nestling next to this historic document is a clipping from November 1994. Apparently Niall (Niall) is eyeing *Les Misérables* too, although he plans to go straight to the source, Victor Hugo. With luck Gérard Depardieu might play Jean Valjean, the man given a raw deal by Fate. Javert, the police inspector who hounds him, could be Jack Nicholson, or Liam Neeson, or ... take your choice.

However, the current version of *Les Misérables* is neither of these. Nor is it a proper version. Since the director is that gaudy eccentric Claude Lelouch, this should be expected. Lelouch could not walk a straight dramatic line even if threatened with a breathalyser: he loves to cross-cut between stories, and filter a primer on modern times into his muddled fiction. No matter what flashpoint of the 20th century, a Lelouch character will be there, cheering in the crowds at the French Liberation, or watching the Moon landings on TV.

Hugo's novel supplies only one thread in this crazy tapestry. Valjean and Javert come intertwined with the story of Henri Fortin, father and son, both incarcerated by Jean-Paul Belmondo with the kind of force that gives gusto a bad name. Lelouch also weaves in 50 years of French history, personal autobiography, and cinema's century. No wonder the film is unwieldy.

The elder Fortin, a chauffeur, is wrongfully imprisoned and dies in a prison escape. Cue the First World War. Son becomes a boxer, then a furniture remover. Cue the Second World War, when Fortin helps to shelter a family fleeing Paris. As the truck bumps along the roads, the Zimans (Michel Bouillon and Alexandra Martine) relate the story of *Les Misérables*. Fortin sees parallels between Valjean and himself, and Ziman, a Jewish lawyer, pro-

Les Misérables
Warner West End
12, 177 mins
Unwieldy variant on Victor Hugo from Claude Lelouch
Father of the Bride Part II
Odeon Leicester Square
PG, 107 mins
Bland sequel wastes Steve Martin
Katia Ismailova
MGM Piccadilly
18, 98 mins
Seductive tale of crime and punishment
Withnail & I
MGM Shaftesbury Ave
15, 102 mins
Revival of the cult British film

poses Lelouch's own philosophy: "There are only two or three stories in the world, and we must all live them over and over." So must the audience, though at least the roundelay's pace quickens once war fragments the family and their kindly protector. They endure various deprivations: torture, incarceration in a cellar, life as a Nazi stooge. Then the D-Day landings herald a final bouquet from D-Day Fortune. After nearly three hours, all's right with the world.

But not with the film. Lelouch, acting as usual as his own cinematographer, can easily conjure up flashy effects: a boxing match among fast-falling snow, colour that ebbs or flows in response to the mood. But if you peer beyond the surface his imagination looks tawdry, and ill-matched with his ambitions. As for Belmondo, the French regard him like Hugo's door-stopping novel, as a national treasure. Viewers across the Channel may be less sympathetic to this grizzled, ever-smiling life-force.

From Lelouch's vacuous optimism, we turn to the American suburban paradise celebrated in *Father of the Bride Part II*. Father (Steve Martin) has a bad time getting his daughter married in the earlier film; a remake of MGM's famous 1950 comedy. Now he must cope with the pater of tiny feet: two sets of them. For just after son-in-law Ryan



Liberating soldiers and French convent girls celebrate the defeat of Germany in Claude Lelouch's self-indulgent take on *Les Misérables*

ruifies his feathers by saying "Congratulations, grandpa!" father learns that his own wife (Diane Keston) is pregnant.

At first, Martin faces grandparenthood with scowls. By the end he is wretched in smiles; secure in his job, family, and a fully paid-up dream house, he decides life cannot get any better.

Swallowing this pap would be difficult even with the most sparkling treatment. Charles Shyer and Nancy Meyers prop added obstacles in the way. Their film dawdles. Martin Shyer's Franck Eggelhoff, the limp-wristed decorator from the earlier movie, outstays his welcome. And too much material is weak. Martin, Keston, Kimberly Williams and the rest sail through with ease, but when the star is Steve Martin you want him to do far more than mouth homilies or wander into a hospital's prostate screening room by mistake.

Katia Ismailova, a seduc-

tive film by Valeri Todorovski, a Russian director in his early 30s, is the kind of product aimed more at European audiences than the folks back home. Scenes are cut short in the manner of the French New Wave, and a generally playful style dominates content.

French money also helped to get the film made. The source material, though, is thoroughly Russian. Using Nikolai Leskov's story *Lady Macbeth of the Mtsensk District* as a springboard, Todorovski contrives a fantasia on the themes of the tragic Russian heroine and the vicious circle of crime and punishment.

Katia, played by Ingeborga Dapkunaite (see interview below), acts as typist to her mother-in-law, a successful novelist. But her placid surface hides turbulent waters: she has sex with the carpenter, in a window if you please, and by delaying the administration of pills, speeds the novel-

ist's death. Soon there is another corpse, and an inspector nosing around.

Although the script is a bazaar of second-hand goods, Todorovski's elegant visuals keep you enticed from the opening shot — of paper shifting through a typewriter to reveal the heroine's face. In reality, the novelist's finances would run to a word-processor, but Todorovski understands that an antique Underwood makes a far more atmospheric prop. Striking images litter the scenes: Katia's face wrapped in with a black shawl, Katia naked at the typewriter, landscapes bathed in grey light. Chasing pictorial delights, Todorovski never leaves space for his heroine's disaffections to build into high drama; but the film's cool, cryptic approach brings its own pleasures.

"I think we've been here too long. I feel unusual. I think we should go outside." Some people in Britain can shout in

union with these lines from *Withnail & I*, the cult British comedy by Bruce Robinson now revived on its tenth anniversary. These are *Withnail* groupies. They scour Cumbria for locations used in this tale of two would-be actors at the end of the Sixties who escape from a fetid London flat for a rain-swept break in the Lake District. They will buy the screenplay, recently published. They may even buy the *Withnail* coat, long and flared, the perpetual garment of Richard E. Grant, and now available for £795 in a limited edition (phone 0171-483 3242 for details).

The film was not bound for cult success when it first appeared, although this quirky memoir of the swinging Sixties' darker side always looked distinctive. Robinson has done nothing to match it. His timing of scenes may be erratic, but his dialogue is cut to the quick, and he knows his characters. Paul McGann

takes the role of "I", the bemused innocent struggling to escape from the advances of *Withnail*'s uncle (Richard Griffiths). But now, more than ever, this is Grant's show. *Withnail* is outrageously self-centred, an endless fountain of caustic remarks, and his black bile keeps the film alive.

You have heard of the Drambuie Edinburgh Film Festival. Now welcome the Toohey's Australian Film Season, sponsored by the brewer. A programme of six films tours the regions after one week at the Barbican. The strongest title is *Angel Baby*, a confidently handled story of disturbed lovers that won seven Australian Film Institute awards last year. A promising directorial talent, Michael Rymer propels the story forward: John Lynch and Jacqueline McKenzie excel in their roles as the couple with everything against them. No great fun for an audience, though.

RADIO

Let's hear it for sport

The revelation on the front page of *The Times* last week that the *Today* programme's long-wave transmission will be partially knocked out by World Cup cricket later this month dovetails neatly with Tuesday's announcement that the BBC has secured coverage of the Olympics, summer and winter, up to 2008.

The huge amount of airtime that the Olympics will require raises once again the question of what the BBC can do about sports coverage in the longer term. The (unsatisfactory) answer is that the solution lies not with people who make programmes but with those who manufacture radio sets. Digital audio broadcasting (DAB) was announced to a fanfare a few months ago. The system uses microwaves, offering almost limitless numbers of bands and impeccable transmission quality. But where is it?

Half a dozen sets are on trial around the country but BBC insiders are becoming increasingly frustrated by the sluggish approach of manufacturers who, in their turn, doubt the level of demand for a set that will cost around £200.

There is some justification for this scepticism. The British tend to swap their television sets at the first sign of a new development whereas we carry on with the radio until it stops working. Part of the reason is that a large proportion of television sets are rented, whereas we buy radios.

City analysts believe DAB will have to await an economic upturn, but sport waits for no man. The BBC clearly needs a sports-dedicated network, but has nowhere to put it. Radio 3's medium-wave frequency would have been ideal, but the Government took that away for the commercial sector.

Those who complain about sport intruding on Radio 4 from time to time ought to consider the alternative. With increasing amounts of sport going to satellite television, radio has become the only terrestrial broadcast outlet for some sports. Unless the BBC continues to sacrifice some mainstream programming there could be serious consequences.

PETER BARNARD

The photogenic belle of the Baltic

David Robinson talks to an award-winning but accident-prone Lithuanian star in the making



Ingeborga Dapkunaite: typing but not typecast

Ingeborga Dapkunaite, who plays the title role in *Katia Ismailova*, has had an eventful year. She won the 1995 best actress award of the Russian Film Academy for *Katia*. Nikita Mikhalkov's *Burnt by the Sun*, in which she plays the leading female role, won the 1995 American Academy Oscar for best foreign-language film.

In London, she spent last summer and autumn filming with Tom Cruise in Brian De Palma's *Mission Impossible*, and with Rob Lowe in *On Dangerous Ground*, a thriller from a Jack Higgins novel. Both films are due for release this year.

This fast-burgeoning international career seems a long way from her early years in Soviet-era Lithuania. Her parents were (and are) in the diplomatic service; but in Soviet times diplomats were only permitted to take one child abroad with them. Since she had a younger sister, Dapkunaite had to stay in Vilnius with her grandmother.

Happily, granny was deputy manager at the opera; and four-year-old Ingeborga was on hand when there was a vacancy for the role of Madame Butterfly's son. She continued in the part — alternating it with monkeys and chickens in children's ballets and a fan-waiver in *Aida* — until temporary retirement at 11, "when my legs got too long".

At 16, however, after a period "devoted to basketball, swimming and figure skating", she was back on stage in a children's amateur theatre; and at 18 she enrolled in the acting school of the conservatoire.

She was one of a group of students who won fame by devising a show called *Lessons in Literature*, which was banned after a fortnight

because it showed Soviet education in an unfavourable light. A few months later, perestroika permitted the show to be put on professionally, to huge success.

"The Soviet period was a constant atmosphere of lies," Dapkunaite says. "That meant that in the theatre we were

always trying to smuggle in coded messages for the audience; and the audience had the fun of decoding these messages."

"Ironically, one of the problems after perestroika, when we were allowed to say anything we wanted, was that we didn't know what to say any

more. We were used to these sophisticated games and metaphors. "Still, in Soviet times, I got my first part in a Russian film. Baltic actors were always cast as foreigners because of their accents. The assistant director offered me the script, saying, 'It's crap, but your part will be shot in Paris.' I said yes at once; didn't even read the script. This was my first chance to get to the West and I had a most wonderful time. My parents were in Geneva, but I wasn't allowed to visit them there."

"Soon, though, I was getting good parts in Russian pictures and becoming known. I played a currency prostitute in Pyotr Todorovski's *Intergirl*, and the leading role in Igor Talankin's *Autumn in Chertanava*. My most rewarding part during that time was in *Cyrcis*, from a novel by Marienhot that had been banned throughout the Soviet period.

"Then in 1992 I was invited to audition for the Chicago production of *A Slip of the Tongue*. They wanted people from different countries who spoke good English, and a Lithuanian director in London recommended me to the English director of the production, Simon Stokes. I flew in from Moscow, auditioned and flew back next day. Anyway I got the part and we opened in Chicago in February 1992, then transferred to London, where we played for four

months at the Shaftesbury."

The following year she married Stokes. "We had ten days' honeymoon in France and I went straight off to Moscow to shoot *Katia Ismailova*. The shoot was only two months, but after that I went immediately into *Burnt by the Sun*. It was more than six months before Dapkunaite returned to make her permanent home in Crouch End, London, and to be Mrs Stokes in earnest.

Directors clearly enjoy working with her (the scripts of *Cyrcis* and *Katia* were written specifically for her), despite a self-confessed predisposition to accidents which hardly goes with the striking delicacy and grace of her appearance. She says that John Malkovich, who starred in *A Slip of the Tongue* and later directed her in *Libra*, "insists that nothing is Inge-proof."

"In *On Dangerous Ground* they made me drive an expensive motorboat, and I drove it onto the shore and wrecked it. There's a scene in *Burnt by the Sun* where I simply have to take an antique jug and pour water on Mikhalkov's hands, then give him a towel and a silk shirt. I managed to drop the jug and smash it. Then in my nervousness I started picking at the towel, which was also antique. I tore it in two. To save further accident, I put the silk shirt down on a stool. I didn't notice it had just been painted."

"And did I tell you how, when I went up to take my place on stage for the Russian Academy Award, I knocked over an entire front row of empty seats?"

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■ OPERA 1

One hundred years after its premiere, Puccini's *La Bohème* remains a weepie sans pareil



■ OPERA 2

After the rugby and the male modelling, Jeremy Guscott turns opera presenter for the BBC

THE TIMES ARTS



■ OPERA 3

One for shameless hedonists: Covent Garden revives Saint-Saëns's luscious *Samson et Dalila*



■ MUSIC

At the South Bank, another night of relentless repetition from Michael Nyman and his band



A contemporary Italian newspaper illustration shows Puccini waiting in the wings at the first performance of his masterpiece, in the Teatro Regio, Turin, on February 1, 1896

This is the real life, this fantasy

A hundred years old today, *La Bohème* remains probably the most popular opera ever written. There is competition from *The Marriage of Figaro*, *Carmen*, perhaps *La Traviata*, but *Bohème* has the unfair advantage of being able to survive even a poor performance. No matter how indifferently sung or staged, it still strikes home. It is the *Swan Lake* of opera.

Everyone loves it: all great singers have loved it and sung it; managers love it because audiences love it; it is in the repertoire of every opera company in the world and is virtually guaranteed to sell out. Audiences love it so much that they become dangerously proprietorial, and woe betide any director who deviates from the traditional picturesque-romantic style of presentation. A production at Sadler's Wells in 1962 rashly attempted to reproduce on stage the squalor and poverty implied in the text, and it was quickly dropped.

More recently, Steven Pimlott staged an abstract, non-representational *Bohème* for ENO, which was ill-received — by most of the press, at least. (I thought it extremely penetrating.) But that's the point: a merely picturesque-romantic, sentimental opera would not have exerted so powerful a grip on the imagination of mass audiences for a whole century. There has to be more to it.

Even on the surface its appeal is as powerful as it is obvious: the opera is ostensibly about young love, or perhaps more properly young "lurve". Although it is nowhere stated that when Mimì and Rodolfo meet they are both falling in love for the first time, that is the way Puccini presents it and the way audiences take it, and the memory of first love is

Rodney Milnes sends a congratulatory telegram on the centenary of *La Bohème*, the world's favourite opera

a trauma most people would prefer to forget — outside, that is, that comforting womb of memory called "the theatre". The young, especially, respond to that first meeting and everything that ensues with a deep sense of identification. I remember long ago lecturing a group of teenagers on *Bohème*, and we had to pause for five minutes while one of the students went off to the lavatory for a jolly good cry (Puccini's fault, not mine, honest guv).

Bohème provokes no less powerful reactions among the no-longer-young, simply by memory. We've all been there, done that. Like Marcello in the third act, we have all had to listen helplessly to first one side's version, then the other's, of why a relationship is falling apart, and like Marcello scurried off as soon as was decently possible. Mimì's *Conde lieta*, or "Farewell", in which she gives Rodolfo instructions for the removal of her belongings from his flat ("I'll send the concierge for them") and her "senza rancore" — no hard feelings — must strike an answering chord in every human breast. *Verismo* is a bogus and self-contradictory term — all theatre is illusion — but there is abundant, near-unbearable human truth in these episodes.

Yet there is more to *Bohème* than identification or memory. Puccini is one of the great manipulators of audiences. The first thing Mimì does on entering is collapse from shortness of breath. Even if we have not read the programme synopsis, we have been told that she is not long for

this world, and that everything that happens thereafter, including that rapturous musical depiction of first love, has to be taken in that context. Beneath that maybe bland conceit, there is rich, frequently overlooked detail in the *Giaconda* and *Illica* libretto, and since the piece is

6 Rodolfo will play a large part in my forthcoming study, *The Tenor as Rat*

ostensibly "realistic" we should be constantly asking why things happen. Why is Mimì's introduction to the Famous Four in the second act framed by the toy-seller Pargipol's cry? (Obvious.) Why do the children laugh raucously precisely when they do? (Rodolfo has just told Mimì a whopper.) Why, more crucially, is there all that rumpus on the stairs in the first act — Colline falling over, Rodolfo calling down to his friends? It tells Mimì that Rodolfo is alone in the garret — the shy knock on the door, the feeble excuse, the ominous collapse follow a few seconds later.

She, then, is making the running, and the ensuing courtship is horribly revealing. After proper introductions

in the two arias, Rodolfo is all for instant copulation ("Sei mia!"). Mimì has repeated the word "lonely" in her aria — tenors tend not to listen — and wants a bit more, shyly asking if she might join him, with implied copulation (the price to be paid) later.

This elicits the first known sighting of the phrase "but baby, it's cold outside" — "C'è freddo fuori". Talk about *verismo*! Here, in a few seconds, is what it would take a dozen sociological treatises to tell us about differences between the genders. Mimì wins that round.

She also homes straight in on the Marcello-Musetta imbroglia at Café Momus, which everyone else sees as free entertainment of the most factually delightful kind: "The poor girl's desperately in love with him... I'm sorry for her". This is a glowing example of female insight and gender solidarity, hidden in the ensemble after Musetta's waltz song. Therein lies the opera's only arguable technical fault: a great deal happens by way of character development in the libretto of the short second act, but the way Puccini sets the words means that not all of it gets across.

The element of gender war is developed in the third act in the supremely painful scene where Marcello provokes Rodolfo into facing his responsibility for the break-up and the approaching tragedy. At first it's all "Mimì's a tart, and I'm bored with her", but eventually he is forced to admit to unreasoned jealousy and general helplessness: their poverty, their cold-water flat has done the

poor girl's lungs no good at all, but he's not prepared to do anything about it — like get a job. Rodolfo will play a large part in my forthcoming study, *The Tenor as Rat*.

And there, I suspect, lies a large proportion of *Bohème*'s appeal, to men at least — it would be impertinent to speak for women, although the formerly mentioned student was female. It's a straight matter of guilt, and the theatre is more comfortable, though alas no longer cheaper, than the psychoanalyst's couch.

The notion of dropping out, which is what Puccini's eternal students are doing, comes (or came) perhaps more naturally to males, and in Murger's novel they all drop in again when it suits them, make bourgeois marriages and enjoy financial stability. Fine — that's their choice, it's just a pity about that girl who died. Her choice was not to die alone, and she manages it by a whisker, with precious little help from her friends.

Puccini knocked about a bit as a young man (and as an old man, too) and knew perfectly well what he was up to, repaying one or two old debts on behalf of the human race. I exaggerate, as always, but *Bohème* mounts an irresistibly powerful two-pronged attack on the emotions: as well as being a poetic, romantic, prodigiously melodious opera, it has one or two uncomfortable things to say about the way human beings treat each other: the betrayals, the selfish excuses, the heartless prevarications. Been there, done that? My goodness, yes...

● A centenary production of *La Bohème* runs from tonight to February 10 at the Albert Hall (0171-589 8212)

Young person's guide to how to tackle Mimì

Simon Tait on why rugby star Jeremy Guscott is the right man to teach children about opera

British adults are being hugely entertained by the internal agonies of the Royal Opera House, as exposed on BBC2. Now children are to get their own peep at Covent Garden on the same channel from next Sunday morning.

The approach, though, will be different. Instead of the blood sport that the fly-on-the-wall television of *The House* has turned out to be, *Top Score* is going to be clean ballplay of the sort personified by Jeremy Guscott, the England rugby centre.

Over six episodes the series will accompany Guscott as he picks his way through what is, to him, an unknown world, as a production of *La Bohème* is put together. We follow its stars — Cynthia Haymon, Nancy Gustafson and Roberto Alagna — as they work towards a specially filmed performance.

The stars also reflect on their own childhood attitudes to opera. "I hated it," Gustafson says. "Well, 90 per cent of the population would be bored by a bunch of big, fat singers doing nothing."

The camera also follows the stars behind the scenes, such as David Syrus, head of music for the Royal Opera. Stuart Maunder, the director of the production, and Jonathan Waterfield, the senior stage manager. The programmes ask questions posed by children: are there really only three great tenors around? How do you make scenery sad? And what does Mimì actually die of?

The series was born out of a chat between old friends: Pauline Tambling, who jointly runs Covent Garden's education department, and Neil Romano, producer/director for BBC children's television. In 1991 they collaborated on a three-part series called *Mozart is Alive and Well and Living in Milton Keynes*, which won the Royal Television Society's award for best factual children's programme.

The connection between high culture and sport is not as bizarre as one might think. Luciano Pavarotti's recording of *Nessun Dorma* became the anthem of the 1990 football World Cup, and the mental leap from the round-ball game to the oval was easily accomplished. "It was important to make the programme non-exclusive, and we thought that by having all these sporting associations we might include a lot more people," Romano says.

The sporting theme is fol-

lowed through to the extent of having Guscott introduce himself from the *Grandstand* set, and the essential participation of children includes "after-match" commentaries by panels of 13-year-olds.

Guscott practically cast himself for his role. Romano wanted a sports personality who was young and who had no knowledge of opera but preferably had some on-screen experience, and Tambling wanted someone to appeal to girls as much as boys.

Footballers, rightly or wrongly, were seen as being too laddish for a mixed audience and less articulate than



Jeremy Guscott sprints into unknown territory

rugby players, while cricket and tennis were deemed to be not universal enough. A straw poll of various daughters and assistants led to the decision.

The proximity of *The House* and *Top Score* is coincidental: the former was originally scheduled for last autumn, while the latter was always planned to coincide with *La Bohème*'s centenary. Tambling's organisation will continue to spread the word, bringing teachers and schoolchildren to Covent Garden and going out themselves to schools to hold workshops and give talks. This month, the Royal Opera will begin working with 13 and 14-year-old girls in a South London secondary school as they create their own *La Traviata*.

"What you can't get in a theatre is the human background to a production which you can with television," Tambling says. "But television doesn't replace the live experience. The object of *Top Score* is to encourage more children to see live opera."

● *Top Score* begins on BBC2 this Sunday at 11.30am

THE title of Michael Nyman's latest album is *Noises, Sounds & Sweet Airs*. Adjective apart, that is an accurate enough description of the work. But whether the score belongs in the concert hall is another matter. Tuesday's performance on the South Bank suggested that it might be more at home, like much of Nyman's music, in the cinema.

In fact it is a reworking of Nyman's opera-ballet, *La Princesse de Milan*, based, as the new title discloses, on *The Tempest*. In his programme note, Nyman assures us that nothing from his soundtrack for Peter Greenaway's film *Prospero's Books* had been re-used, and he should know better than anyone.

But it is hard to tell, as few other composers have written so much of such little

Dreary trip from Bard to worse

CONCERT

Nyman Band Festival Hall

variety and narrow range of expression. Certainly he is not recycling dead composers here: for better or worse, this is pure Nyman.

Indeed, Nyman's adherents — and Tuesday's turnout brought a reminder that there is clearly no shortage of them — must be easy to please, for there are no fresh ideas in *Noises, Sounds &*

Sweet Airs. The music is unrelenting, over-amplified and played at one unvarying dynamic level.

Each beat of the bar is hammered home with equal emphasis, and textures are thick, with most of the instruments playing most of the time. Whether a number is slushy (*If by your Art*), frenetic (*This damned witch Sycorax*), or sounds like a Muzakal battering-ram (*Tis his custom in the afternoon*), the emotional effect is about the same.

That must be what the composer wants, for he was on the platform directing the

conscientious Michael Nyman Band and three vocal soloists. None of the singers was flatteringly amplified, though the tenor Christopher Gillett emerged best of all. Catherine Bott's "white" soprano tone and the coarse contralto of Hilary Summers were cruelly emphasised.

As in the opera-ballet, the singers are carriers of the text rather than characters. It is mostly Shakespeare's spoken lines they are given, since the songs from *The Tempest* had already received the Nyman treatment in *Prospero's Books*.

But it seems a little pointless to set the Bard and then allow only a tiny fraction of the words to come across. Lacking any dramatic vitality, this performance was dull even by Nyman's standards.

JOHN ALLISON

Philistines have all the fun

As heady a brew of sex 'n' religion as ever came out of the 19th century, Saint-Saëns's biblical opera is always welcome back on the Covent Garden stage, and now that Philistines are on the rampage again, it is curiously topical as well. In the opera they are defeated, by a whisker and not before having some of the best tunes we will see what happens in real life, whatever that may be.

Tuesday's revival was notable for musical values rather than anything else. The 15-year-old Moshinsky production is looking a little frayed and the marvellous Sidney Nolan decor depends to a large extent on subtle lighting, which was not forthcoming. Orchestral the performance started a trifle coolly —

Samson et Dalila Covent Garden

though Terry Edwards's chorus was on lusty form throughout — but with the entrance of Robert Lloyd's around Old Hebrew and the accompaniment to Dalila's Spring aria, the instrumental juices started to flow under Jacques Delacôte, who knows what this score is about and what it can yield.

Softly makes my heart was real double-bed music, with silk sheets and an overhead mirror thrown in (musically, I hasten to add, not on stage), and the shamelessly hedonistic Bacchanale, for which every Hollywood composer must bless Saint-Saëns when faced with a movie set south of Gibraltar, went with a deliciously lubricious swing.

The title roles were most engagingly sung. Markella Hatziano, heroine of the now legendary Colin Davis *Trojan* concerts of two years ago, was making her Royal Opera debut. The Greek mezzo's healthy, firm, youthful tone is exciting in itself, as yet fruitier at the top (two absolutely spiffing B flats) than at the bottom, but ideally even in spread. The Rita Gorr chest tones will come later.

Her stage manner is also healthy, based on a sunny smile, redolent more of Rodean than the Valley of

Sorek, but with singing so assured and smooth you can forgive a lot, and her forthcoming Amnerises are awaited with impatience.

Jose Cura is picking up a lot of dates that the Threese Tenor cannot or will not manage and is proving himself a worthy Fourth. An earlier problem of unfocused pitch when singing softly is receding, and the great thing is that he does sing softly: much of the erotic charge of the second act was the result of his sensitive caressing of the vocal lines.

At full throttle the sound is thrilling and this big, handsome man certainly brings a

Victor Mature dimension to his portrayal of Samson, cheerfully flaunting as much lower limb as the dancers in the Bacchanale. (And not all of it that low — I have not seen so much tenor rump on the Covent Garden stage since Peter Hoffmann accidentally exposed himself in *Parsifal*.) Gregory Yurishch was an incisive, wonderfully dorny High Priest and a plainly flurried Roderick Earle just about got through Abimelech, bless him. A vocal, choral and orchestral feast — pity about the visuals.

RODNEY MILNES



Prisoner of passion: blinded, humiliated and enslaved, Samson (Jose Cura) is shackled to the treadmill

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Ames and his wife Rosario during their trial in March, 1994

Peter Jay wonders what was the real damage done by the intrigues of a greedy KGB spy

An agent despised

The title of this story of the KGB's most expensive — and supposedly most damaging — ever — spy in the United States invites epic expectations. "Betrayal" and "An American Spy" suggest grand themes, historic importance and perhaps deep insight into the American psyche.

In fact nothing could be further from such an epic idea than this chronicle of Ames's nine-year career as a spy in the CIA and that agency's bumbling inability to recognise that there even was a spy, let alone to catch him.

It is a tale, readably and tellably told, of a sad little man whose professional, marital and personal inadequacies, combined with the blind complacency of the sprawling bureaucracy in which he worked, led him, unnoticed for almost a decade, to flog off in the best market selections from the paper river that poured across his desk. The buyer just happened to be the KGB; and the documents just happened to be the CIA's most precious secrets from 1965 and until Ames's arrest two years ago.

The KGB made no original effort to recruit Ames. He just walked into the Soviet Embassy in downtown Washington (observed without consequence by three FBI agents and filmed by an FBI camera) and handed in to the

receptionist an envelope addressed to the top KGB man containing details of two Soviet officers who had offered to work for the CIA, a page from the CIA's internal directory of its Soviet division (identifying Ames as head of its counter-intelligence branch) and a demand for \$50,000.

The KGB — whose competence comes much better out of this story than the CIA's — realised that it was being offered on a plate its first ever "agent in place" inside the CIA's operations directorate, and paid up. Within a month it took delivery from Ames, in a shopping bag passed under the table at lunch in a Washington restaurant, of an "espionage encyclopedia" of many hundreds of pages with the names and details of all the West's best spies in the Soviet Union (including Dmitri Polyakov and Oleg Gordievsky).

To the horror of the KGB, who feared the exposure of its "top spy ever", the Politburo (presided over by Gorbachev himself) decided that "death to spies" remained the rule; and "at a ferocious rate" most of them were executed in the basement of Lubyanka prison.

Ames later commented that "it was as if neon lights and searchlights lit up all over the Kremlin, shone all the way across the Atlantic Ocean, saying There is a penetration." The CIA was stunned by the executions, but never really suspected a spy in the camp, virtually

the "crown jewels" of intelligence came first to him and then went on to Moscow.

What is completely lacking from this account is any grand theme. Ames was a drunk, but neither that nor his upbringing by a CIA father, another failure, who talked to his son about "the KGB and Communists" rather than cowboys and Indians, provides any fatal flaw driving this tragedy. The American character and American society in the late 20th century are, perhaps mercifully, not examined for clues to the anomie and casual irresponsibility that formed Ames's behaviour. Still less is there any serious attempt to explain why — apart from the huge sum of money paid by the normally miserly KGB — Ames's treason was so universally regarded as exceeding that of even the greatest villains/heroes in traitor history.

In the private chess game of the CIA and the KGB, he was indeed the ultimate coup; but how does he compare with the scientists who gave the secrets of the atom bomb to the Soviet Union? Or with Donald Maclean, who arguably

caused the Cold War and changed the history of the last 50 years by writing to Stalin from his desk as acting Head of Chancery in the British Embassy in Washington — it gives me a pain to think of it — that the United States's offer of Marshall Aid after the war should be rejected as a capitalist plot, advice on which Stalin acted, against all other advice he was receiving (see Pavel Sudoplatov's truly epic *Special Tasks*). Or compared with the Polish theft of the Enigma machine — what important geopolitical, military or economic consequences resulted from Ames's betrayal?

Other spies, including good and brave men and women, died because of Ames; but would America have "won" the Cold War sooner, or would the Gulf War have been over any faster, or anything important in human history have changed if he had had a more frugal wife?

We do not know; and we are left unsatisfied by a book which, though benefiting from the industry, writing skills and excellent connections to be expected from the Washington correspondents of *The New York Times*, in the end turns aside from the larger questions that cry out for answers.

BETRAYAL
The Story of Aldrich Ames,
An American Spy
By Tim Weiner,
David Johnston and
Neil A. Lewis
Richard Cohen, £12.99 pbp
original

until the FBI caught Ames red-handed in 1994.

Ames acted for money — nearly \$3 million in the end — because his Colombian second wife was a freer spender and because the KGB made him feel important and appreciated. The CIA despised him, correctly, as ineffectual and third-rate. This did not, however, prevent it from repeatedly giving him critically sensitive jobs where

though Garber herself believes this is not a useful distinction. She suggests that someone who has a same-sex relationship followed by an opposite-sex relationship could be said to be either always bisexual or never bisexual. Explaining why she does not think the distinction is clear, she asks, perhaps disingenuously: "What, precisely is 'the same time'? Alternate nights? The same night? The same bed?"

Surely the answer must be that concurrent bisexuality implies that a same-sex relationship is entered into before an opposite-sex one has been concluded, or vice versa, thus involving infidelity. Garber would probably disagree. In her introduction to *Vice Versa* she announces that she wants to challenge the notion that there are only two possibilities: "male or female, gay or straight, monogamous or non-monogamous..."

IT IS HARD to accept that there can be a third state that is neither monogamous nor non-monogamous, although later in the book she describes some bisexuals who "retained non-monogamy as a value but were not practising it", which sounds like a whole new way of having your cake and eating it, something that those who disapprove of bisexuality have always resented.

There is much in this book to provoke, much to enlighten, and a certain amount to amuse. Garber is in many ways a playful writer, using puns and paradoxes to prick her readers into thinking in new ways. But however much she makes them think, many of them may resist her attempt to persuade them to divorce their perceptions of bisexuality and betrayal.

Kate Hatfield's novel, *Angels Alone*, will be published in February by Transworld

Bisexuality to androgyny: from Jeanette Jones's *Walk on the Wild Side* (Souvenir, £20)

The geometry of love and betrayal

BISEXUALITY is considered threatening by both heterosexuals and homosexuals, not least because it is seen to imply betrayal. Marjorie Garber suggests in this long and intermittently entertaining book that it has been unnecessarily maligned because it has not been properly understood.

She shows, with a formidable range of examples drawn from many disciplines, that bisexuality is a fundamental part of Western culture. From the myth of Tiresias and Aristophanes's fable of the original hermaphrodite, from the *Symposium* to Shakespeare's sonnets and even in the great romantic classics, literature has always been concerned with bisexuality.

Most people assume that the state of being "in love" requires a pair. Garber suggests that three people may be necessary, pointing out that there is a triangular relationship in most of the great love stories: Lancelot, Guinevere and Arthur; Tristan, Isolde and King Mark; Scarlett, Ashley and Rhett. Rivalry has been the driving force of much romantic literature, with the relationship between the same-sex rivals often as important as that between the hero and heroine.

It is the uncertainty implicit in triangular relationships that those hooked on the idea of stability and pairing find both fascinating and intimidating. Prime-time television soaps have taken to portraying bisexual characters to arouse extra interest, and publishers have discovered that it sells books. In the past few years biographies of many writers, artists and actors have revealed that their subjects had physical relationships with members of both sexes.

As Garber points out in her chapter on "Bisexuality and Celebrity", for those who are attempting to appeal to the

Kate Hatfield

VICE VERSA
Bisexuality and the
Eroticism of
Everyday Life
By Marjorie Garber
Hamish Hamilton, £25

that it is impossible to distinguish... between desirability and desire.

Freud believed that all human beings were innately bisexual, at first assuming that as they matured they would repress their desire for members of their own sex and become full-blown heterosexuals. He later changed his mind as he began to think that the libido might oscillate throughout life, instancing the man who gives up his male companions when he marries and then returns to them when marriage begins to pall.

That kind of bisexuality is now known as sequential, as opposed to concurrent, al-

public sexual ambiguity is no bad thing. To attract members of both sexes doubles boy-offer potential. She poses the interesting question of whether people become stars because they are bisexual or vice versa, concluding ambiguously: "I believe that the answer is 'both' — or rather

THE TIMES

PRESENTS

Valentine's Day

IN ASSOCIATION WITH
aramis

Tell someone you love them in 12 words or more...

Once again, The Times offers the most romantic environment for your Valentine's Day messages. Through our exclusive arrangement with Aramis, we can send on your behalf a 30ml bottle of *Tuscany Per Donna Eau de Parfum* for the ladies, or *Tuscany Per Uomo Eau de Toilette* for the gentlemen, together with a card which reads: "Look for your message in The Times on Valentine's Day." Furthermore, the most original Valentine message published will win a weekend break at Riber Hall, Derbyshire (above), voted one of Britain's most romantic hotels. There will also be a runner-up prize of a case of champagne.*



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2nd	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
3rd	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
4th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
5th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
6th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
7th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
8th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
9th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
10th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
11th	Weekend break at Riber Hall	Weekend break at Riber Hall	Weekend break at Riber Hall
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Grand venture gone astray

Cyril Ehrlich

STEINWAY & SONS
By Richard
K. Lieberman
Yale, £23.50

More than a century ago, when music was live and the piano at its centre, Steinways became pace-makers to a flourishing international industry, perfecting an image of robust craftsmanship, technological innovation and musical discrimination. In New York (of all places), said their competitors, and later Hamburg, they built iron-framed, cross-strung instruments — concert grands and domestic uprights — more powerful and durable than any predecessor, yet responsive to the most fastidious fingers.

Their "system" was openly copied by newly prospering firms, but disdained by the old established London and Paris makers, who clung to obsolescence, wounded pride and waning fortunes. Then the industry developed in caricature of modern economic history, its centre shifting from England and France to America and Germany, then dramatically to Japan, and ultimately to Korea.

But pre-eminence continued to depend upon the link with high culture: a great pianist's needs, even the whims of a Paderewski, no less than a craftsman's perfectionism, lead to take precedence over the accountant's book-keeping. So for a time Steinways kept ahead by nurturing music with as much energy and discrimination as they devoted to metallurgy and wood. Their historians requires similar breadth and discernment.

Richard Lieberman describes a later, less successful member of the family as "more interested in chairs,

appear to be similar. Tunes are not his scene, but meticulous domination of a large archive, and interviews with the worthily inarticulate, are made to yield accounts of New York history, wage bargaining, and such issues as the unsurprising scarcity of women and African-Americans in the workforce."

A golden age of European music and business, its economic and cultural peaks, and their subsequent decline, are short shrift. A

strut their stuff, to small acclaim. We rarely catch a glimpse of the Hamburg factory, and Bechstein, the great rival, barely rates a mention. Apparently a bulky manuscript has been trimmed and "critiqued" by many hands, in the belief that "good history can be written for a popular audience."

So attention must be paid to the Steinway lady who enticed "employees, neighbours and friends of the family... into [her husband's] bed, dressing them in his nightclothes, and demanding that the servants fetch ice-cream and champagne to supplement her nights or afternoons of sexual pleasure"; and to another who was simply "a streetwalker", or even to one whose elaborate gynaecological history is best hidden from the squeamish.

It must be said that less popular matters benefit from a similar American candour: would a European or Japanese firm have all so eagerly? There was the question of government contracts: awkward for an American-German firm in two world wars (making coffins, or what amounts to the same thing, troop-carrying gliders).

And later came real trouble: a supercilious indifference, common also in Europe, to devastating competition from Yamaha, and a near fatal deterioration in the quality of instruments when control was relinquished to the accountants. Good in short periods and narrow focus, this book is too ramshackle and undiscerning to address larger themes and do justice to a great enterprise.



Concert pianist Alfred Brendel mirrored in his Steinway

Finding the rule of equal justice

Stephen Tumim finds a disturbing shudder, but not a collapse, in the British judicial system

The Tottenham Three, the Guildford Four, the Birmingham Six, the Newham Seven and Eight, even the Bradford Twelve: those once famous cases, mostly involving elaborate miscarriages of justice, belong to the 1980s, rather than the 1990s. The Richards and the Krays — no miscarriages there — mark an earlier decade.

The facts have faded now: we are left with a misty recollection of figures and statements being faked. Sir John Woodcock, former Chief Inspector of Constabulary, apparently invented the phrase "noble cause corruption", meaning the practice of police officers fabricating evidence or committing perjury in order to convict suspects whom they were satisfied were guilty.

David Rose, in addition to tales of police impropriety, tells the story of many unjust acquittals, brought about by the defendants and their friends. That these have occurred cannot be disputed, and they too amount to a denial of justice to the victims and the community.

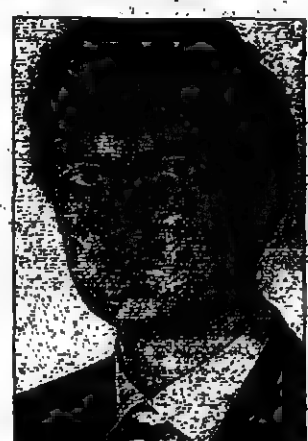
Mr Rose also cites cases from which the prosecuting authorities do not emerge as properly diligent in the pursuit of truth. He gives examples of each variety of miscarriage. The most disturbing are in the chapters on the police. He raises a series of points too often ignored. "In 1994," writes Mr Rose, "there were 194 settled actions against the police in London... In virtually all of these cases of alleged police misconduct, there was no substantive action taken against the officers concerned. The rotten apples remain in the barrel." The fear of being caught is no more effective at restraining the bent policeman than the criminal.

But to justify his full title, *The Collapse of Criminal Justice*, Mr Rose has to go much further. He points to a series of miscarriages, particularly now when the identification of possible miscarriages is to be removed by statute from the Home Secretary to an

IN THE NAME OF THE LAW

By David Rose
Cape, £17.99

independent person. A disturbing shudder, capable of correction, is not a collapse. He looks briefly at why people offend and concludes, as many have concluded before him, that there is no simple answer, although economic conditions, racism and class are seen as



Rose: no simple answers

factors in the organised crime of inner cities. The strength of his argument lies in the analysis of the part that the police play in the justice system, and in his final chapter, where he narrates the changes in government attitudes to crime over the past two years: particularly politicians' attempts to widen the gap between criminals and the rest of the community, rather than to narrow the gap and reconcile on the lines of the now largely abandoned Woolf Report of 1991.

The remedy proposed by Mr Rose was rejected, without many reasons given, by the Home Secretary. It was a move from the adversarial system towards the continental inquisitorial approach. This would bring about, Mr Rose claims, a

closer understanding between the various segments of criminal justice. The police would be unlikely to misbehave, he argues, if supervised by an examining magistrate. The prosecutor, discontinuing a case, would have a greater need than at present to explain himself.

It is true that in England, judges, prison governors, probation officers and police have never enjoyed easy communication, although the position may have been somewhat eased by a recommendation in the Woolf Report for local justice committees. There must be a strong case for examining Mr Rose's proposal again, even if he has not fully proved a case of "collapse".

To see whether there has been a collapse of justice in recent years, it is helpful to ask what we mean by justice. Lord Devlin wrote many years ago that the duty of the judge was solely to do justice, and "justice is concerned with the measurements of desert". The move, for example, over the past year, to extend mandatory sentences to some offences lesser than murder, would amount to a denial of justice. It would prevent the judge from measuring the deserts of the prisoner in the dock.

But whether the miscarriages with which this serious and powerful book is concerned have reached the degree where it is proper to call the situation a collapse of justice, is not established.

What is very clear is that among the many problems is the attitude of some of the criminal young. Mr Rose went out one evening to look for himself in Newcastle. "A gang of youths had set fire to some cars on the main road, then they slipped into a backstreet. They were carrying the tools for arson: rags and cans of petrol. I watched them break into an empty house, chattering excitedly about seeing it on fire. One of their friends lived opposite. Suddenly he burst out of his home, yelling at the others: 'Hey, come on, leave that now! Come and see, we're all on Sky TV'."



Child's Play 3 withdrawn in 1994 after it was claimed that it had influenced Jamie Bulger's killers, but restored as the link was not proven

Caught between fear and desire

When I was a child, I had a favourite book in the Pookie series. In this story, Pookie the rabbit ended up at the North Pole where (as I recall) he was trying to escape from the wicked Queen of the Ice. It was not the plot I treasured; what gripped me was a full-page colour picture of the Queen herself. She was partly iceberg, partly human, with dreadful icicles for fingernails and a blue, icy face.

I kept the book under my pillow. After Dad had switched out my light I would wait for a while and, eyes shut, think about the Ice Queen. Then I would switch on the light, pull out the picture and look at it until I didn't dare to any longer. Then I would hide under the bedclothes until I had summoned the courage to look again.

In his chapter on "Distress and Delight" children's experience of horror, Dr Buckingham dwells, absorbingly, on the strange amalgam of fear and pleasure which so transfuses children watching television.

Buckingham's research (funded by the Broadcasting Standards Council, of which I am a member) has aimed to help us to understand how children see those things on television which we sometimes view with concern for

their "negative" effect on younger viewers. Violence, horror, melodrama, crime: parents must every day take decisions about whether, and when, and in what company their children may see these things. Indeed Buckingham believes that, in an age when we might suppose responsibility was being steadily leached away from the family, decisions about television viewing may increasingly be thrust back upon parents, as the airwaves and cables become ever more crowded with transmissions which the nation state may lose the ability to police.

His method has been qualitative rather than quantitative: a series of careful and in-depth interviews with a great many children from many backgrounds, and (separately) their parents. Buckingham's aim has been to let children speak for themselves and to draw from the results what apparent patterns, and strands of hypothesis, present themselves.

Such an approach has the defects of its virtues. It is intuitive and often highly interpretative: much of it must be a matter of opinion and Buckingham does not conceal his opinions. But is there any other way to listen to children? I found this study absorbing, useful and rather entertaining.

Matthew Parris

MOVING IMAGES
Understanding
Children's Emotional
Responses to
Television

By David Buckingham
Manchester University Press,
£12.50 pb original

something apparently far more troubling, I remember, for instance, how worried many children were by that National Grid advertisement showing pylons morphing into humanoid figures. The same child might watch a movie axe-murder unmoved.

Secondly, how very sophisticated the viewing of even six-year-olds can be. Kids make as clear a distinction as adults between fact and fantasy on

television, and carefully grade levels of fantasy (*Casualty* they may find more disturbing than drill-killer movies, because it seems to be about their own world). News broadcasts can worry and upset them deeply.

Children are fascinated, too, by how television effects are achieved. *Child's Play 3* (the horror video about a demonic doll which, contrary to the press reports, there is little evidence that Jamie Bulger's killers did see) was not rated by Dr Buckingham's interviewees as unusually disturbing, but some were fascinated by the animation itself.

Thirdly, that just as adults insist that they can cope with disturbing programmes themselves, but that children may be upset, so children insist that worrying scenes on television are no problem for them, but might be for other children — or indeed for their parents!

The most memorable, if trivial, picture I take from this thought-provoking study is of Elaine (aged 12) describing how she helped her father to conquer his fear of spiders by forcing him to watch *Arachnophobia*. "I kept turning his head around, getting him to watch it."

Ripened fruit of sixty years

Rachel Campbell-Johnston

SHIFTING
LANDSCAPE
By Henry Roth
Weidenfeld, £14.99

In 1994 Henry Roth published *Mercy of a Rude Stream*, a series of six semi-autobiographical novels which came as an astonishment to his admirers. They were the first works he had completed since *Call It Sleep*, his classic evocation of immigrant life in New York City, published in 1934. In the interim years, Roth had become as famous for his agonising case of writer's block as he was for his writing.

However, Roth's literary silence during those 60 years was not absolute, as this collection now shows. Gathering together in chronological order fragments of his work, its purpose, as Roth describes it in his foreword, is "nothing less than to exhibit the continuity within the desolating discontinuity of a writer's life".

Some of the pieces collected here seem more of biographical than literary interest. *Equipment for Pennies*, an article written for a trade periodical *The Magazine For Ducks and Geese*, marks that time in the early 1950s when Roth bought a smallholding in Maine and set about raising poultry. Similarly given in his 1987 speech given in Perote in Northern Italy when he was awarded the Nozimo International Prize.

Other pieces shadow the development of Roth's authorial style. *Impressions of a Plumber*, his first published work, was written in 1925 while he was a freshman at City College, New York. Describing the installation of piping, its honed accuracy of observation is combined with an imaginative impressionism in a style which Roth was later to develop in *Call It Sleep*.

Yet there are a number of works in this collection which stand up to scrutiny in their



Like Roth, many artists of New York's "Ashcan school" were not native New Yorkers. Fire on 24th Street by Everett Shinn (1907), from *Metropolitan Lives* (Norton, £35)

own right. Short stories such as *Brother*, in which a clapped-out truck becomes the focus of bustling aggressive street life, symbolically explore the collapse of Roth's long-standing relationship at that time, and his extended experimental piece *Itinerant Ithacan* is to be seen, according to Roth, "as a most important stepping stone toward the conception of *Mercy of a Rude Stream*".

In works such as these, contemporary urban life seems to overflow, unconfined, onto the page. Roth boldly underlines rough street argot and soaring lyricism with a skill characteristic of his greatest works, expressing and transcending the squalor and brutalities of the life they describe.

Shifting Landscape may seem at first merely a collection of disparate fragments. But these pieces, knitted together as they are by their author's own commentary, (transcriptions of taped interviews), provide a rare insight into the development of the writer's mind. Roth's death last autumn renders this a most timely publication.

BEN BRADLEE and *The Washington Post* have never really got over Watergate. It established the *Post* as an influential national paper and, thanks to the film *All the President's Men*, made Bradlee, Bob Woodward and Carl Bernstein the first of the celebrity journalists — especially as there are striking similarities between Bradlee in person and the way that Jason Robards played him in the film. Bradlee realised that he would never have another story as good as Watergate. The remaining 17 years of his editorship of the *Post* were an anticlimax, offset by his successful, third, marriage to Sally Quinn and by his fame as the editor of his generation.

A *Good Life* divides between his career before and after Watergate. Bradlee is a swashbuckler, charming and engaging, and he tells a good story of his life and loves. He ranges from his privileged, if not always prosperous, upbringing in New England, a youthful battle with polio, to Harvard, naval service in the Pacific, a sub-Hemingway life as a foreign correspondent in the 1950s and then a few years as a *Newsweek* political writer before his move in the late

Watergate was his watershed

Peter Riddell

A GOOD LIFE
Newspapering and
Other Adventures
By Ben Bradlee
Simon & Schuster, £17.99

1960s to run the *Post*.

With the key backing of Katherine Graham, he showed flair and energy in making the paper lively and noticed. His handling of the revelations in the Pentagon Papers over Vietnam and, then Watergate showed that he, and she, had the guts to confront an Administration and be proved right. It was his and the *Post*'s finest hour, for all the later excesses of half-baked conspiracy theorist imitators.



Bradlee: courageous

His post-Watergate account is briefer, and at times a touch self-satisfied. From the late 1970s, he was a classic insider and he revels in his friendship with such Washington fixers as the lawyer Edward Bennett

Williams. Bradlee's absence of introspection about the role of the press is a welcome respite from some of the usual American navel-gazing.

Bradlee has faced criticism over what he did, and did not, reveal about his close friendship with his Georgetown neighbour John F. Kennedy. It is always hard for journalists to judge how close to get to politicians, the balance between discretion and disclosure. Bradlee got it about right for the time: after all, he phoned a scoop direct from the President during a White House party.

BRADLEE was a big story journalist with little interest in the day-to-day workings of government or in finance and the arts. The *Post* has not made a further leap forward. It remains a cross between a local Washington paper and a newsletter on the latest political gossip and trends. It lacks the range and depth of *The New York Times*, particularly on foreign affairs; the strength of analysis of *The Wall Street Journal*, especially on the links between politics and finance; and the all-round strengths of the *Los Angeles Times* at its best.

A tale both small and beautiful

Derwent May

THE LITTLE BOOK
By David Hughes
Hutchinson, £9.99

The narrator of David Hughes's new novel is a man called David Hughes. At the age of 61, he has just had a cancerous kidney removed. Now, in an August heatwave, he is convalescing with his wife and his young family in a house on the Isle of Wight overlooking the endless waves of the Solent.

He remembers that, long ago, he had promised to write for his wife a "little book". It was to be "the big exploratory act which any man wanted to share with his love... the letter that said it all and hid everything, the truth as never hitherto known".

He has not written it. But now, faced with the grim possibilities that lie in the wake of his operation, his thoughts turn again to doing it. Now, perhaps, it will only be a book in his mind, which

begun to improvise itself, not be what I wanted". However, his "little book" is taking shape. It will be an inspirational book, but one that will proceed by images of failure.

His thoughts now take a further, powerful turn. He imagines the impact of his book on these very characters he has conjured up. It shakes them, and starts changing their lives. His imagination races faster: under the impact of the "little book" in which they themselves appear, his characters start to engage in wild sexual acts, provoke demonstrations and revolts, begin to change the whole fabric of life in Britain. Meanwhile, on the Isle of Wight the marvellous summer goes on. Hughes starts laughing at the extravagance of his fantasy — and

feels his health returning. Is this *Little Book* published by Hutchinson the "little book" we have been reading about? Not exactly. It will not have quite such a dramatic effect on its readers, and I am afraid it will not transform Britain. But it is an amazingly gripping book, considering that its story takes place almost entirely in the narrator's mind. Moreover, if it is not exactly inspirational, it glows with an idealism, an ardent dream of how life could be richer and fuller, that is often very moving.

The real David Hughes — who won the W.H. Smith Literary Award for his novel *The Pork Butcher* in 1984 — also had a kidney removed five years ago, when he was 61. On the evidence of this book, he too has made a splendid recovery.

Hong Kong rush begins

Airport hub for Asia

By HARVEY ELLIOTT

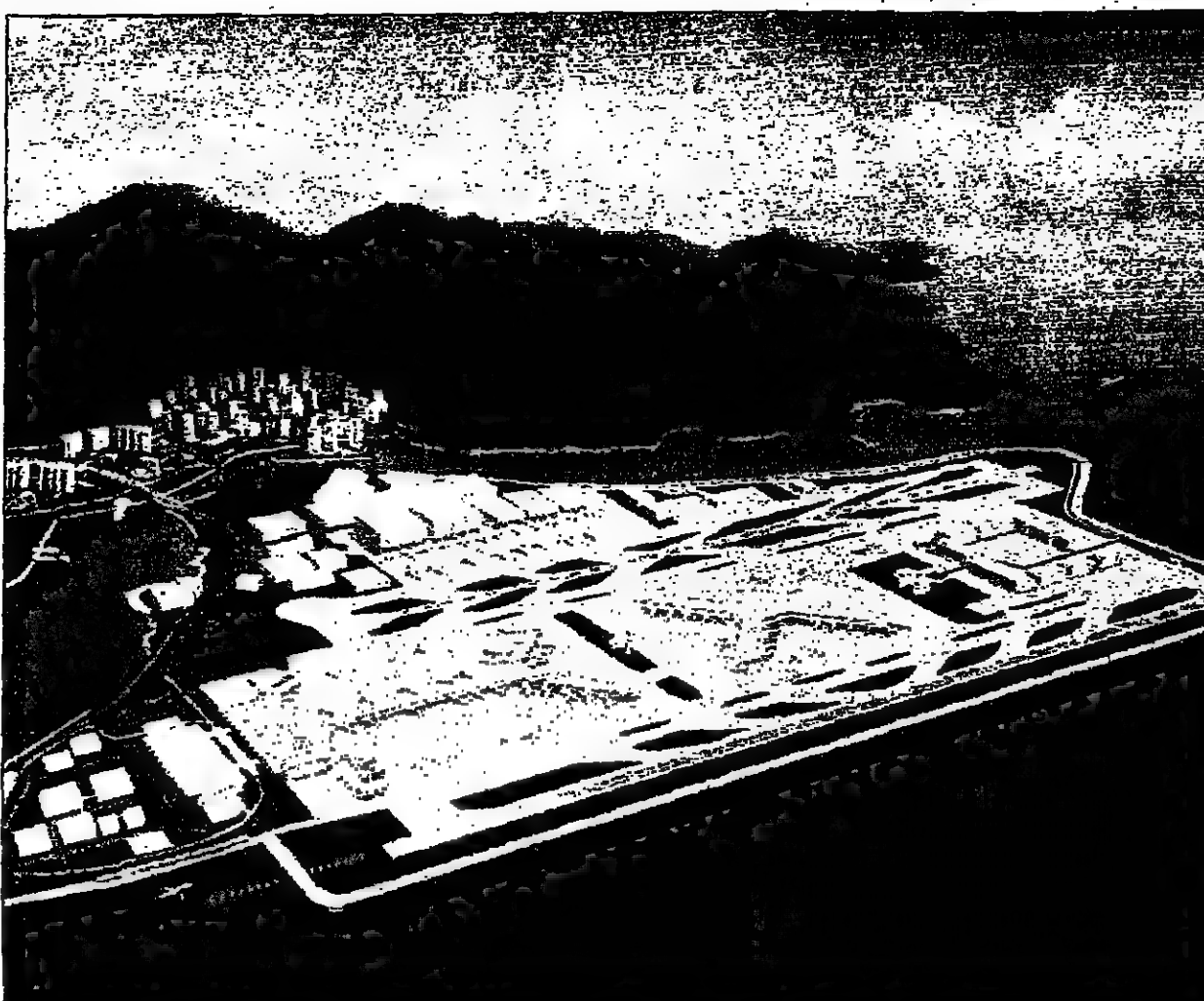
HONG KONG is expecting a surge of Britons keen to visit the colony before it is handed back to China on July 1, 1997.

Changes which the hand-over will inevitably bring are already beginning in the high-rise, high-income, high-tech, high-density group of islands. The "Britishness" is gradually fading, and many of the old colonial buildings have disappeared as concrete, glass and steel buildings change the skyline almost daily.

The traditional trade of tailoring is declining fast as companies move from the seeping streets of Hong Kong island and Kowloon to mainland China, where labour is much cheaper. Much of the colony's manufacturing industry is being replaced by service industries — with tourism rapidly becoming the biggest of them all.

The vast majority of the new tourists, however, are not from Britain but from the People's Republic of China and the expanding nations of Asia. Of the ten million people who have visited China in the past 12 months, well over two million came from China, just under two million from Taiwan and almost as many from Japan. The number of British visitors has been sinking slowly to about 350,000, of whom 25 per cent were on business and most of the others stopping briefly on their way to some other Far Eastern holiday destination.

As Hong Kong's economic growth has continued, prices have risen sharply, often making shopping — still the top activity among tourists — as expensive as it is in London. But this has not deterred the tourists from South-East Asia, many of whom can still buy all kinds of goods at 30 per cent less than they can in their home country — and get the latest models much more quickly than at home. That explains why British visitors spent half as much in Hong Kong's shops in 1994 as they did on hotel bills while the Japanese spent twice as much.



Soft landing: an artist's impression of the £12 billion 24-hour airport being built on reclaimed land in Hong Kong.

in buying goods as on their hotel rooms.

But Hong Kong is not all about shopping. Its 85 hotels offer 33,490 rooms, and many — such as the Mandarin, the Peninsula and the two Shangri-La hotels — are among the best, and most expensive, in the world.

The millions of glittering lights in the harbour provide views of incredible splendour while up in the New Territories the ancient, mystic way of life goes on — albeit between the tower blocks which have sprung up in many villages. There are Chinese arts festivals, dragon boat racing, lion

dancing, music, crowded dim-sum restaurants, a funicular railway to the Peak, boats in the harbour, bird sanctuaries, sport galore and the ubiquitous karaoke bars.

Will all this and the ostentatious wealth which pervades Hong Kong be allowed to continue after July 1, 1997? Everyone has a different answer. Some claim that Hong Kong is now so important to the whole Chinese economy that Peking could not possibly interfere. Others give dark warnings that already the sabres are being rattled, the Mao suits are reappearing, the Red Army guards who will

move into the old British Army and Navy bases are being trained and true democracy and dissent will not be tolerated by the rulers in Peking.

Still others are certain that China will not lose face by publicly moving against the people of Hong Kong when an agreement setting out clearly their rights has just been signed, and that there is so much mainland Chinese money tied up in Hong Kong that it must not suffer an economic setback.

One senior Hong Kong official said: "I am convinced that July 1997 will be a comma

and not a full stop in the history of Hong Kong." The Hong Kong Tourist Association has launched a campaign under the title "Wonders Never Cease", to persuade more visitors to come to Hong Kong. But 50,000 well-to-do Hong Kong families, all skilled managers or business figures, have full British passports which they are holding onto — just in case. They will not hesitate to use them to leave their homeland if the need arises, taking their money with them and bringing about the "doomsday scenario" everyone secretly fears.

VALENTINE'S DAY BARGAINS

THE BRITISH must be more romantic than we get credit for, to judge by the response to last week's selection of Valentine's Day offers by tour operators and hotels. *The Times* today provides further ideas for those planning a present more original than red roses or a rude card.

□ **THOMSON** is suggesting you "gift-wrap a city" by taking your partner on special Valentine packages to Paris, Florence or Prague. Prices for two nights in Paris with a dozen red roses start at £169, while four nights in Prague from February 12, with more goodies on arrival, will cost £379. Details: 0990 143503.

□ **LOVE** in a cold climate is the theme of Icelandair's special Valentine offer, which includes a free bottle of champagne to couples flying to Iceland between February 9 and 16. Prices for a three-night break at the Hotel Island start at £271 per person. Details: 0171-388 5599.

□ **A CHATEAU** in Champagne on Valentine's Day is available from Unicorn Holidays. Overnight accommodation, dinner and champagne at Chateau de Fere, plus ferry crossings, cost £140 per person. Details: 01582 834400.

□ **TWO NIGHTS** including February 14 at Les Trois Mousquetaires, a country house hotel close to Aire, a market town 40 miles from

Calais, are on offer from Inntravel. Price, including dinner, champagne, flowers and ferry crossings, is £123 per person. Details: 01653 628862.

□ **ACTION** on Valentine's Day is the suggestion of Anglian Activity Breaks, which provides gift vouchers for 100 pursuits including driving a Russian tank and pampering yourself at a health club, with a night's accommodation afterwards available from £21 per person. Details: 01508 492132.

□ **A FOUR-DAY** Valentine break at Port Zelande holiday village in Holland, which offers watersports and was featured on last Saturday's *Blind Date*, is available from Gran Dorada for £215 per person, including ferry crossings, with departures on February 13. Details: 01242 255000.

□ **SAVINGS** of £240 per person are available for holidays including Valentine's Day at the all-inclusive Club Antigua resort from British Airways Holidays. Prices start at £749 per person for seven nights including flights. Details: 01293 723161.

□ **THE EQUATOR** is where you could spend February 14 if you join Journey Latin America's 24-day Tropic trip to Ecuador and Colombia, taking in the Andes and a Caribbean beach. Price: £1,338 per person. Details: 0181-747 8315.

HOTELS

TWO tickets to see *An Ideal Husband* at the Haymarket Theatre, London, are included in the Valentine's package offered by the Lowndes Hotel, Belgrave, during the weekends before and after February 14 as well as the day itself. Prices start at £315 per person per night plus VAT. Details: 0171-623 1234.

□ **SUPERBREAK**'s Valentine breaks include champagne, flowers and an upgrade to a four-poster if available. The Fairfield Manor Hotel, York, for example, costs £90 per person per night half-board. Details: 01904 679999.

□ **FEBRUARY 14** in a monastery is a new idea for lovers, but those pursuing the special offers from Baillifscourt Hotel, West Sussex, may be relieved to know it is a mock medieval building. Details: 01903 723511.

□ **A VALENTINE** dinner dance is taking place at the Waldorf Meridien in the

West End of London, costing £65 per person. Details: 0171-836 2400.

□ **COUPLES** who stay at Glenaeles Hotel, Scotland, this month and fail to find romance can claim a £50 voucher towards their next visit. Price: £177 per couple for one night including "aphrodisiac" dinner and breakfast. Details: 01764 662231.

□ **SPEND Valentine's Day** in Hong Kong's oldest hotel, the Peninsula. Until March 15 the first night for two in a deluxe room costs £358 with subsequent nights at £344. Details through: Leading Hotels of the World: 0800 181123.

□ **BROWN's** Hotel in Mayfair is this month offering a special £15 two-course lunch with a guarantee that if the second course is not served within an hour of ordering, the meal will be free. Details: 0171-493 6020.

FLIGHT BARGAINS OF THE WEEK

FOR £799 the new British Airways-Qantas excursion (available between April 16 and June 30) provides return flights to Australia, two free internal flights and a choice of en route stopovers. Details: 0345 222111.

□ **CANADIAN Airlines** International has return fares from Heathrow to Montreal, Ottawa and Toronto at £369 for departures from April 1, and flights to cities in western Canada costing £469. Details: 0345 616767.

□ **TRIPLE Airlines** are awarded to full-fare passengers for each City Flyer Express flight from Gatwick. Details: 0181-897 4000.

□ **MANX Airlines** has lowered the price of its Manchester-Isle of Man Apex fare by 20 per cent. The new fare is £104 compared with £130 previously. Details: 0345 256256.

□ **LOW-COST** airline Air Belfast has tied up a fly-drive deal with Avis for passengers arriving at Gatwick, Stansted, Belfast and Shannon airports. Inclusive rental rates start at £46.50 and customers are being offered £5-worth of free petrol until February 29. Details: 0345 464748.

□ **MIDDLE** East Airlines has scrapped first-class flights between London and Beirut in favour of an improved business-class product with more comfortable seats and a more lavish meal service. Details: 0171-4935681.

□ **ICELANDAIR** is offering transatlantic business class passengers a free pair of economy-class tickets to France, Belgium or Holland. The offer is valid until the end of May; free flights must be taken by August 31. Details: 0171-388 5599.

Snowfalls leave resorts divided

By GRAHAM DUFFELL

JANUARY snowfalls have largely blessed those countries where the pound carries most value, and left those with strong currencies in poor shape. Italy, Spain, Andorra, America and Canada have enjoyed lashings of snow since Christmas. Large parts of France, Austria and Switzerland, on the other hand, have had only a sprinkling, and Norway is virtually snowless.

For most tour operators it has compounded a January

bookings nightmare. The smart skier has learnt to hold off booking until the last minute and was rewarded last month by mass-market operators cutting prices to rock bottom to fill accommodation in some resorts.

Paul Chase Gardener, of the chalet operator Bladen Lines, said: "Early bookings were weak and, combined with poor snow reports, it meant there was masses of stuff unsold. Selling prices in January were dramatically lower than I can ever remember."

However, February and March bookings were doing well, he said. Italian holidays continue to outsell last year but the biggest boom is in ski holidays to Canada, which is now so popular it is difficult to find seats on flights to Calgary and Vancouver. Jill White, of the Canadian High Commission, said: "The airlines are carrying twice as many passengers as last year: the Banff/Lake Louise area will more than double the number of British visitors."

Ski the American Dream began taking Britons to ski in America 15 years ago. By 1990 they were still carrying only 500 passengers but last year took 6,000, of whom 45 per cent went to Canada. Alan Reed, a company spokesman, said: "We're laughing all the way to the bank. After a very strong year last year, we are 26 per cent up so far this year."

A series of storms passing over North America has produced huge snowfalls. The base at Lake Louise is 14ft and at Sunshine Village it is 18ft, though temperatures at the start of this week were -32C, rising to a daily high of -18C. Steamboat Springs, Colorado, had 16ft of snow in January alone, and Park City, Utah, 10ft.

In Europe all the major falls in January have come from the south, coating the southern flank of the Alps but leaving the northern side thin.

"The snow follows a line through the Alps roughly from Les Deux Alpes, through Tignes, La Thuile, Chamonix, Zermatt, Saas Fee, Davos and Obergurgel," said David Hearn, of the Ski Club of Great Britain. "The snow has fallen on the windward side and left the lee with nothing new. You can go to Chamonix and look down the Aosta Valley where there are buckets of new snow, while a kilometre away on the other side the snow is old and grey."

London gets an update

By TONY DAVE

AN £8 million drive to present London as modern and vibrant instead of the grimy old-fashioned city portrayed in the prewar and postwar films was launched this week.

The campaign, financed jointly by the British Tourist Authority, the National Heritage Department and private investment, is intended to boost spending by visitors in the capital, which has been increasing at a slower rate than in many international cities.

"Too many people have an outdated image of London and yet it is at the cutting edge of fashion, music, nightlife and eating out," says Colin Hobbs, managing director of the London Tourist Board, which will lead the campaign. "It is precisely these elements that need far greater emphasis, particularly in targeting the new and younger fast-growing markets across the world."

The campaign, supported by many companies involved in the city's tourism industry, will include a series of international promotions and television advertising in the United States and Far East. Its target is to increase spending by visitors over the next five years to generate an extra £1.5 billion for London and create a further 50,000 jobs by the turn of the century.

It has, however, got off to a bad start. Design experts have criticised the logo which will be used in the promotions — a crown of blue, yellow and red dancing figures above the city's name — as "ineffective, feeble and witless". Mr Hobbs says the logo emphasises the city's vitality.

Paris by bus for £25 return

By MARTIN SYMINGTON

A NEW international bus company, CityZap, has entered the fiercely competitive London to Paris and Amsterdam routes with a £25 return fare for a twice-daily service to each city from March 1 — with bookings from today.

Travellers must book before the end of February to take advantage of the bargain fare, which will then increase to £55. European Bus, the Dutch owners of CityZap, are targeting 15 to 30-year-olds.

Its marketing partners include MTV, Coca-Cola and Mars, whose products will be provided free on the services. The journeys through the

Channel Tunnel on Le Shuttle will take about seven hours. "We saw a gap in the market for cost-effective travel for young people who want a fast service but one which is within their budget," says Jill van Eyle, head of CityZap.

Eurostar is expected to announce its lowest rail fare from London to Paris today: £59 for a Saturday day-return or for travel on Mondays to Thursdays including a minimum three nights away. For travel including a weekend night away, the fare will be £69. London to Amsterdam via Brussels will cost £77. The offers last until March 31.

Among the most competitive air fares to Paris currently available is £62 on British Midland from Heathrow including a Saturday night stay. Transavia flies from Gatwick to Amsterdam for £69, also including a Saturday night stay. Air UK offers restricted fares from Stansted to Paris from £59 and to Amsterdam from £74.

Air France Holidays is offering return flights to Paris with two nights accommodation in a three-star hotel plus Metro and museum tickets for £99 until the end of March. Details: 0800 968504.

BRITANNIA Ferries has unveiled a range of short breaks to France and Spain — with a free mobile phone for each booking. Day trips and 24-hour returns to Caen, St Malo, Cherbourg and Roscoff cost £19 for a car and passengers, rising to £69 for eight days' travel, until the end of April. Details: 0990 360360.

□ **A FIVE-DAY** mini-cruise combining Copenhagen and Copenhagen has been packaged by Scandinavian Seaways, costing £99 per person until the end of March and £109 from April until the end of June. Departures are on Sundays from February 4. Details: 0990 333111.

□ **EURODRIVE** has a £75 unrestricted five-day return on Le Shuttle to Calais priced at £136 for a standard return. A £49 five-day return is also available for outbound travel between 11pm and 8am, and £59 for a standard return between the same hours. Travel by April 30. Details: 0181-342 8979.

New hotel guides for 1996

By DAVID CHURCHILL

RELAIS & CHATEAUX, the consortium of worldwide luxury hotels, yesterday launched a new 1996 directory of its 410 member hotels.

The directory, which contains photographs and details of all the hotels including 22 new members, is just one of a clutch of glossy directories published by international marketing consortiums. These guides, unlike the AA and Michelin Guides, do not offer an independent rating of the hotels, but provide complete details of their luxury hotels.

Among the several others just published is the 264-page guide from the Small Luxury Hotels of the World group. There are some 205 properties

in 40 countries listed, including Sweden's oldest hotel, the Gripsholms Vardshus, in Mariefred, and a 15th-century fort-palace, the Neerlands, in India. A promotion launched with the guide offers the chance of free accommodation with a special "passport" programme: the first 1,000 callers requesting a directory and mentioning the passport programme will get the first hotel "stamp" already in place.

The 68-year-old consortium, Leading Hotels of the World, has also just produced its 1996 guide to more than 300 of the world's most exclusive hotels, including new members in Hungary, South Africa, Zimbabwe and French Polynesia.

The consortium has this year published a separate directory called *Great Affordable*, listing some 160 hotels offering special off-season deals.

The *European Connection*, from the Massey Partnership, focuses on specially selected smaller UK and continental hotels, while several top Irish hotels, including the Park Hotel Kenmare in Co Kerry, and Dromoland Castle in Co Clare, are included in *Elegant Resorts* new guide.

Relais & Chateaux, 0171-287 0987; Small Luxury Hotels of the World, 01372 375116; Leading Hotels of the World, 0800 181 123; European Connection, 0171-930 7636; Elegant Resorts, 01244 897777.

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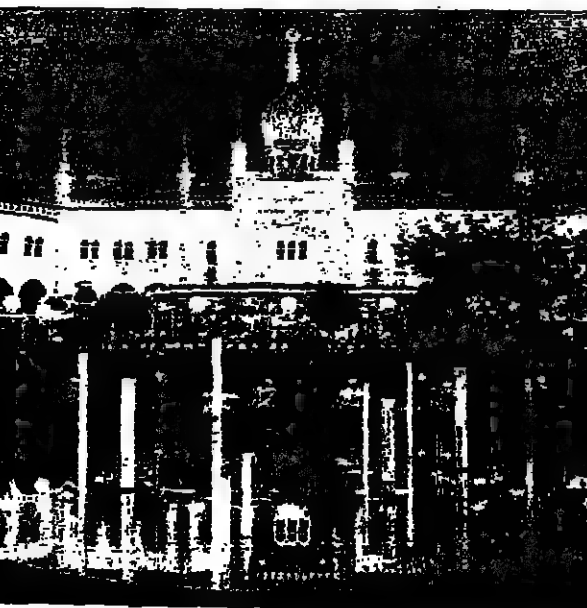
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Denmark wins cultural crown

FROM CHRISTOPHER FOLLETT IN COPENHAGEN



Tivoli Gardens: reported first loss in its 153-year history

COPENHAGEN has taken over from Luxembourg as Europe's "cultural capital" at a gala ceremony, attended by Queen Margrethe, to launch a year-long programme of more than 1,800 events at a cost of about £115 million.

A hundred imported events include exhibitions of Picasso and Rembrandt, and of Islamic culture. Music festivals will include the BBC Symphony and London Symphony Orchestras, classical soloists, the Kirov Ballet and Britain's Royal Ballet.

Leading the home-grown talent, the Royal Danish Ballet will dance a new *Hamlet* rock ballet on a floating stage on the moat of Elsinore Castle. Danish 19th-century "golden age" and modern Nordic painting will be on

show, as will modern Danish design. Workshops will ponder the future of capital cities in the 21st century.

More than 40 restorations, rebuilding projects, including a stunning new modern art museum, are under way for "cultural capital" year, with city squares getting a facelift and old town houses receiving a coat of new paint.

The "cultural capital" project comes at an opportune time for Tivoli Gardens, Copenhagen's world-renowned amusement park, which reported a loss in 1995 for the first time in its 153-year history. Annual visitors to Denmark's prime tourist attraction have slumped to 3.5 million from more than 4 million.

France
is back

arout!

asia

France hits back

By HARVEY ELLIOTT

FRANCE is to launch a £1 million advertising campaign on British television next week in an attempt to win back the tourists who have turned their backs on Europe's most popular holiday destination.

Backed by F&O, the ferry company, French regions have collaborated in a series of advertisements to be shown on both ITV and Channel 4, the first national TV campaign launched by France.

The campaign will feature what sounds like English football fans singing "Here we don't go" to get across the message that France does not attract "lager louts" and is both safe and attractive, especially for families with young children and older people.

At the same time hotels in Paris are combining to offer three nights for the price of two, the Eurostar train is cutting the price of its cheapest return tickets to £59 and Air France has an offer which includes return flights, two nights in a hotel, a Metro pass and transfers from the airport for £99.

Many shops and restaurants, which were also badly affected by the sudden fall in visitor numbers, are offering discounts of up to 20 per cent, plus gifts and other incentives to win back custom.

French hotels, especially in Paris, admit that they are "desperate" for business. The upmarket Baltimore in the

Avenue Kleber, for example, says that less than 20 per cent of the 105 rooms available have been booked so far for February. This is a pattern repeated throughout the capital.

The decision by the French Government to restart nuclear testing had a particularly damaging effect on Japanese and Scandinavian visitors, who stayed away in large numbers throughout the summer.

Then the series of bombings in Paris put off school parties, conventions and other travellers. The strikes, which paralysed the capital in November and December, gave a negative image of France around the world, and the franc gradually gained in strength, especially against the pound, making the country appear massively overpriced compared with rival destinations such as Italy and Spain.

As a result of these problems there was an overall fall in the number of tourists for 1995, when for a time during the spring it had seemed that it would prove to be a record year.

Nonetheless, more than 60 million people still visited France last year and research has shown that it still holds a strong appeal, especially for the British. The new series of promotional campaigns will, it is hoped, stimulate the dormant desire to go there.



Flowers for the occasion — villagers of Burgundy remember the patron saint of vineyards at St Vincent Tournante

Tourists flock to wine festival

By TONY DAWES

THE PEOPLE of Burgundy did their bit to boost flagging tourism in France by staging a successful and well-organised wine festival dedicated to the anniversary of St Vincent, patron saint of the vineyards, last weekend.

Nearly 100,000 visitors, including tourists from Britain, Belgium, Germany and Switzerland, poured into the village of Auxey-Dore, which had been selected six years ago to host this year's St Vincent Tournante.

In the intervening years, the village's winemakers joined forces to produce four crus

which could be sampled at will by visitors after purchasing a Fr30 (£7.50) ticket which came in the form of a commemorative wine glass.

Other inhabitants of Auxey, which lies in a valley four miles beyond Beaune, had spent years preparing exhibitions and making paper flowers to transform the winter scene into summer.

Green "leaves" had been attached to the bare, pruned vines closest to the church and waxwork models carefully clothed and arranged to re-

create the wine harvest. On the other side of the village, a field of paper poppies glowed amid the gloom, while all the approaches were lined with redundant Christmas trees decorated with paper roses.

"The festival has become increasingly important, not only in promoting the wines of a particular village, but in attracting tourists to a unique event in the middle of winter," Agnes Diconne, of the organising committee, said.

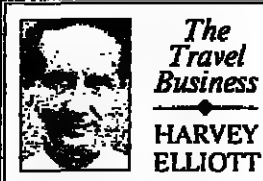
"Although the country as a whole has suffered a drop in

visitors, we have heard more British voices at the festival this year than ever before."

Mme Diconne's grandfather, Paul, was among seven villagers who were made honorary members of the Brotherhood of Winemakers at a ceremony during the festival. Now 91, he had first come to the village to work in the vineyards before acquiring his own land and developing a successful family wine-growing business.

The ceremony followed a procession led by knights of the brotherhood, accompanied by marching bands.

Arriving to a roar of anger



The Travel Business
HARVEY ELLIOTT

NOTHING sends those who live under or even near the Heathrow flight path into paroxysms of anger like the roar of a jumbo jet as it begins its final approach in the small hours of the morning after a long overnight journey from the Far East.

I was one of 377 people on board a jumbo jet which came in over Windsor at 5.20am on Sunday. And we were not even the first aircraft to land that morning. No wonder the locals complain and demand to know why these wretched planes cannot leave them undisturbed just a little longer.

The problem revolves around the development of super long-range aircraft such as the Boeing 747-400 and the Airbus A340, which can now reach London non-stop in flights lasting more than 14 hours.

My flight — CX 251, Cathay Pacific's daily 747 service from Hong Kong to Heathrow — left Hong Kong's Kai Tak airport at 11.30pm, the last flight of the day to London.

It could not leave later because Kai Tak — at the heart of a crowded city — shuts down at midnight.

The route is longer than it need be because of a complex dispute between Britain and China over air services. The Chinese, to put pressure on Britain in negotiations over Hong Kong, have refused to allow aircraft to fly through their airspace on their way to Russia along an airway known as Bravo 330. So Cathay, British Airways and Virgin jets have to fly much further south over Iran or

Afghanistan, adding up to an hour to the flight time.

Because Hong Kong is eight hours ahead of London, the 14-hour flight means that the jet should arrive at 6am, still too early for the local residents' peace and quiet. When the headwinds are light it arrives even earlier. Flying on the northern route, if approved, would cut an hour from the journey time so that in the winter the landing would be at about 4.30am.

In two years Hong Kong is to get a new airport, built on an island, which will be open for 24 hours a day. It would, therefore, be possible for the jets to take off at, for example, 2.30am, instead of 11.30pm and arrive at a less disturbing time. But an early-morning departure is inconvenient for passengers, and in any case there are no landing slots at Heathrow in the middle of the day to accept the rescheduled flights.

Why not switch to daytime flights leaving at midday instead of midnight? The same holds true — a lack of slots. And passengers hate travelling for 12 hours or more through the day when sleep is impossible and jet lag is made many times worse. What can be done? Suggestions please, to Cathay Pacific, British Airways or Virgin.

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Law Report February 1 1996 Court of Appeal

Convention applies to claim made under void contract

Kleinwort Benson Ltd v Glasgow City Council

Before Lord Justice Leggatt, Lord Justice Roch and Lord Justice Millett

[Judgment January 25]

A claim for restitution of money paid under a contract, which was a nullity because of the recipient's want of capacity to enter into it, was a matter "relating to a contract" within the meaning of article 5(1) of the Brussels Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters 1968, enacted by the Civil Jurisdiction and Judgments Act 1982.

Accordingly, the English court had jurisdiction, pursuant to the special jurisdiction conferred by article 5, to hear the claim of the plaintiff bank against the defendant, domiciled in Scotland, for recovery of money paid under the terms of seven written interest rate swap contracts, which contracts having been held subsequently by the House of Lords to be void, see *Hazell v Hammarstrom and Fulham London Borough Council* (The Times January 25, 1991; [1992] 2 AC 1).

The Court of Appeal so held by a majority. Lord Justice Leggatt dissenting, in a reserved judgment allowing the appeal of Kleinwort Benson Ltd against the order of Mr Justice Hirst (The Times March 17, 1992; [1993] QB 429) in favour of Glasgow City Council on its application to set aside the service of the plaintiff's writ on it on the ground that the proper forum for any claim against it was Scotland.

Leave was granted to appeal to the House of Lords.

Article 5 of the 1968 Convention, as set out in Schedule 4 to the 1982 Act, provides: "A person domiciled in a part of the United Kingdom may, in another part of the United Kingdom, be sued: (1) in matters relating to a contract, in the courts for the place of performance of the obligation in question... (3) in matters relating to tort, delict or quasi-delict, in the courts for the place where the harmful event occurred..."

Mr Thomas Beazley and Mr Adrian Briggs for the plaintiff bank; Mr Michael Burton, QC and Mr Jonathan Teck for Glasgow.

LORD JUSTICE LEGGATT, dissenting, adopted the facts as set out by the Court of Appeal ([1994] QB 404, 411-412) on an application for a reference to the Court of Justice of the European Communities under article 177 of the EC Treaty (Cm 483).

He said that in its simplest form the swap agreement was an agreement between two parties whereby one paid to the other, over a period of months or years, sums calculated by reference to the difference between a fixed rate of

interest and the current market rate of interest from time to time. Its essential feature was that it was a futures contract, the financial outcome of which depended on future movements in interest rates. From 1982 onwards a number of local authorities came to use them. All such transactions were held by the House of Lords in *Hazell* to be void ab initio for lack of capacity to enter into them. There followed claims in the Commercial Court, mostly by banks against local authorities.

So far the Court of Appeal had held a bank was entitled to recover the balance standing to the credit of the authority when the transactions were aborted by the *Hazell* decision: see *Westdeutsche Landesbank Girozentrale v Islington London Borough Council* (The Times December 30, 1993; [1994] 1 WLR 938).

The plaintiff bank sought restitution in September 1991 of £807,230, the sum then outstanding to the credit of the defendant authority under the swap arrangements. The authority contended that the proper place to bring proceedings was in the courts of Scotland. Mr Burton acknowledged that the principal reason for that was that the period of limitation which was or might be applicable was shorter in Scotland.

His Lordship said that the jurisdiction issue arose under Schedule 4 to the 1982 Act, which set out in relation to countries of the United Kingdom provisions comparable with those in the Brussels Convention in relation to contracting states.

For purposes of the present case what proved determinative was that the question whether national or European law should be applied to the construction of Schedule 4. Because the Convention did not apply to the present dispute, nothing in the 1982 Act required the application of European law. The distinction between the Brussels Convention and Schedule 4 was important, and was clearly drawn by the 1982 Act.

When, by section 3(1) of the 1982 Act, the Convention was brought into force, it was to be determined "in accordance with the principles laid down by and any relevant decision of the European Court" section 16 provided that in determining any question as to the meaning and effect of Schedule 4 "regard shall be had to any relevant principles" and any relevant decision of that court.

In his Lordship's judgment, therefore, there was no doubt that the English court, whether in England, Scotland or Northern Ireland, was to prevail. That was made clear by the judgment of the European Court in *Westdeutsche* (The Times April 17, 1993; [1993] 3 WLR 866, 889-890, paras 14-22). In the present case, when declining jurisdiction, to answer

the matter submitted to it by the Court of Appeal.

As the European Court had acknowledged, the English court was free to decide whether the interpretation given by the European Court was equally valid for the purposes of the application of English law based on the Convention.

Although regard was to be had to European law, so that English law would, where possible, be so interpreted as not to conflict with it, that did not entitle the present court to reach a conclusion at variance with English law in the interests of applying its own view of an uncertain and disputed principle of European law.

Mr Beazley submitted, *inter alia*, that the relevant articles of Schedule 4, as of the Brussels Convention, had to be independently interpreted; so the rules about jurisdiction did not affect the classification of an action in order to determine the applicable principles of liability. The jurisdictional concepts had to be interpreted chiefly by reference to the system and objectives of the Convention so as to ensure its efficacy.

He contended that restitutionary claims did not fall into a single category. The language, system and objectives of the Brussels Convention strongly suggested the expression "in matters relating to a contract" in article 5 should include a claim for recovery of money paid under a contract which one party had no capacity to make.

It might legitimately be said that the payments in the present case were made under a contract. For purposes of an independent, as distinct from a national, interpretation no distinction could properly be drawn between a contract which was void, and a contract which was or was to be avoided.

He relied particularly on article 10(1)(e) of the Rome Convention on the Law applicable to Contractual Obligations 1980 (implemented by section 2 of, and Schedule 1 to, the Contract (Applicable Law) Act 1990) as an example of the consequences of nullity being treated for purposes of European law as governed by the law applicable to a contract.

Mr Burton submitted that restitution on the ground of unjust enrichment was a different cause of action from contract or tort. His submission was on the basis that the interpretation of Schedule 4 was, strictly speaking, a matter for the English court by contrast with the Convention, which were for the Convention, which were for the Convention.

He contended that article 2 ("... persons domiciled in a part of the United Kingdom shall... be sued in the courts of that part") was the

primary, fundamental and normal rule of jurisdiction, and was wholly appropriate for a claim in restitution. The scope of the derogations from article 2 contained by article 5(1) and (3) was to be restrictively interpreted.

In the present circumstances, article 5(1) was both inappropriate and inapplicable. The paragraph was intended to enforce contractual provisions, not "obligations" meant one that was contractual or consensual because it was concerned with enforcement of a contract in the place of performance.

There was no contract in the present case, no contractual obligation and no place of performance of such an obligation, so that it was unhelpful to ask where the contract would have been performed; the claim was by operation of law by way of unjust enrichment.

His Lordship said that since article 5 was concerned with exceptions to the general rule created by article 2, the provisions of article 5 were to be construed restrictively for purposes of English law as Community law.

Most European jurisdictions, including England and Scotland, regarded restitution as a separate cause of action from contract and tort. An important case for present purposes, *Martin Peters Bauunternehmung GmbH v Zuid-Nederlandse Aannemers Vereniging* (Case 34/82) [1983] ECR 987 showed that under Community law the court would assume jurisdiction even in a case where the relationship between the parties was not contractual but only aided to taxation.

But there still was a continuing consensual basis for the action in the present case. The parties entered into a contract, which was void, and a claim for recovery of money paid under a contract was that there might be expected to be a connection between the place of performance of the obligation in question and the courts for that place.

In the present case the cause of action arose only because the parties proved not to be any contractual relationship between the parties. Of course they had contracted with each other in the belief they were entering into an enforceable contract. The place where the contract was made or would have been performed, if it had been enforceable, was quite irrelevant.

To accord to the English courts jurisdiction, it would be necessary to construe the phrase in article 5(1) as meaning "matters relating to a contract" in a way which would not be understood by the parties. There was a relationship between the parties which was akin to contract, but it was of legal effect when transactions of that nature were adjudged void.

Both parties regarded article

10(1)(e) of the Rome Convention, which expressly included the consequences of nullity within the scope of the law of contracts, as conclusive.

Mr Burton contended that the very fact the paragraph was left out of article 5(1) demonstrated a determination within the United Kingdom to exclude the consequences of nullity from the scope of the law of contracts.

His Lordship said that it was true that that showed the general approach under Community law was to regard the consequences of nullity as contractual. But it equally demonstrated an intention for purposes of national law to exclude the consequences of nullity from the contractual context.

In article 5(1) the phrase "performance of the obligation in question" most naturally referred to the performance prescribed by the contract of the relevant contractual obligations; that is, the payment in London of money due under the supposed contract. That had nothing to do with the claim in restitution, which was concerned with the repayment of money received by the defendant authority.

In his Lordship's judgment, Mr Justice Hirst reached the correct conclusion and it was therefore unnecessary to regard a claim for unjust enrichment as a matter relating to a contract. The claim in restitution fell outside the scope of article 5(1).

LORD JUSTICE ROCH said that whether the present case came within article 5(1) turned on the meaning of the words "a contract" and "the obligation" in the article. If "a contract" was to be interpreted solely with reference to English law, his Lordship would have agreed the present case could not be a matter relating to a contract, because the contract was void, was a nullity and never existed.

His Lordship accepted Mr Beazley's interpretation of article 5(1) as being consistent with the *Martin Peters* case and *Arado Flugzeugwerke AG v Reederei* (Case 9/87) [1988] ECR I-539, 1554, paragraphs 10 and 11.

If the words "a contract" included a contract void ab initio it could not be doubted that actions to recover monies paid in the present case would be treated as valid contracts between the parties had to be "matters in relation to a contract".

Although the *Martin Peters* case was not an exact parallel to the present case because there the relationship between the parties was not contractual, the German construction company, a member of the association, as one of contract, it was similar in that, as in the present case, under the

national law there was no contract. The case was a guide to the proper approach to article 5(1).

Further, the importance of article 10(1)(e) of the Rome Convention was that it demonstrated that European law did not treat a void contract as a contract which did not have and had never had any existence. It was a contract albeit a void contract.

The word "obligation" in article 5(1) was not confined to contractual obligations. Had that been the intention of the drafters of the Convention, or the parliamentary draftsmen, then the word "contractual" would have qualified "obligation". The absence of any qualification threw light on the meaning to be given to the words "a contract".

There was ample authority that the question of jurisdiction was not to be determined by an application of national law. The result was desirable because it would give concurrent jurisdiction to the courts of the country, the law of which would most probably govern the dispute between the parties. They appeared to depend on this kind of analysis employed by a national law in the classification of causes of action for domestic purposes, rather than the very broad and analytical approach the Convention required.

Even if every member state treated a contract as a nullity if one of the parties lacked capacity, that should not be treated as if it were a rule of national law and of universal application.

In the present case the parties, purported to enter into a contract, assumed obligations to each other and intended them to be legally enforceable. When parties so acted, the intended place of performance was no less relevant to the connecting factor because the contract was afterwards found to be void.

LORD JUSTICE MILLETT said that the correct approach in determining whether a claim was to be regarded as falling within article 5(1) was to ask whether, for the purposes of the Convention, which applied to a number of different states with different national laws and systems of characterisation, the defendant should broadly be regarded as being sued in a matter relating to a contract. It was wrong to ask whether the claim was or was not characterised as contractual under domestic law.

The jurisdictional criteria had to be interpreted by reference to the system and objectives of the Convention to ensure that it was effective. Those objectives included legal certainty, consistency, the avoidance of parallel proceedings and the avoidance of possibly conflicting decisions in different jurisdictions.

It was to be observed that

jurisdiction was not allocated according to the remedy sought. Provided that the matter related to a contract, the jurisdiction conferred was available whether the plaintiff sought to enforce the contract, either specifically or by way of damages for breach, or to escape from it and recover money paid under it. Further, jurisdiction was not allocated by reference to the cause of action.

The words "matters relating to a contract" were intentionally indefinite, and were not to be equated with words such as "contractual causes of action" or "the enforcement of contractual obligations" or even "claims based on contract".

While national laws of contract differed, there was a general sense in which the word "contract" was understood by the signatories to the Convention; a contract was a consensual arrangement intended to create legal relations and to be legally enforceable.

His Lordship was not persuaded by Mr Burton's powerful arguments that "contract" in article 5 did not include a void contract. It did not depend on this kind of analysis employed by a national law in the classification of causes of action for domestic purposes, rather than the very broad and analytical approach the Convention required.

Even if every member state treated a contract as a nullity if one of the parties lacked capacity, that should not be treated as if it were a rule of national law and of universal application.

In the present case the parties, purported to enter into a contract, assumed obligations to each other and intended them to be legally enforceable. When parties so acted, the intended place of performance was no less relevant to the connecting factor because the contract was afterwards found to be void.

His Lordship could see no reason, as a matter of language, why the word "contract" should not include void contract, and the expression "place of performance" in the obligation in question should not mean "intended place of performance of the supposed obligation".

There was a real difference between the case where negotiations had not led to a contract, where there was no contract at all, and the case where they had led to a contract, so that there was a contract in fact, but one of the parties lacked capacity, so that there was no contract in law.

In the present case the European Commission, the United Kingdom, France and Spain, as well as the plaintiff bank had submitted, when the case was referred by the Court of Appeal to the European Court, that the question referred

should be answered in the affirmative, namely that the bank's claim was in a matter relating to a contract. Only the defendant authority and Germany submitted it should be answered in the negative.

Three considerations persuaded his Lordship as to the correctness of the plaintiff's submission.

First, in most cases the validity of the contract would be in issue. It would not be consistent with the objectives of the Convention if a court having jurisdiction to decide the contract's validity did not also have jurisdiction to decide the consequences, or if it had jurisdiction to grant relief in one event and not in the other.

Second, it was often notoriously difficult to distinguish between contractual and restitutionary causes of action. Claims in quantum meruit, for example, were usually thought of as contractual and in most situations were clearly matters relating to a contract. But there was a respectable case for classifying all such claims as restitutionary, and in some situations they clearly were.

Third, if the claim was properly regarded as a matter relating to a contract, then the court having jurisdiction under article 5(1) was the court for the place where the supposed contractual obligation should have been performed, not the place where the unjust enrichment occurred and the restitutionary obligation arose. That produced a scheme for the allocation of jurisdiction which was both coherent and satisfying.

The defendant authority's arguments all proceeded from three basic assumptions:

1 That all member states recognised the existence of three categories of civil actions: contractual, delictual and restitutionary with broadly the same lines of demarcation.

2 That all restitutionary claims had to be treated alike; and

3 That they fell outside the article.

In his Lordship's view the structure of the Convention precluded that analysis. Its failure to provide specifically for restitutionary claims had to be due to a recognition of the fact that they overlapped with contractual and delictual claims, and that the lines of demarcation were not identical in the various national laws.

For example, a claim to recover money paid under a void contract where there was a total failure of consideration was a restitutionary claim in a contractual context; or restitutionary claims for wrongs were delictual or quasi-delictual.

Accordingly, his Lordship rejected the submission that all restitutionary claims necessarily fell outside article 5.

Solicitors: Clifford Chance; Lewis Silkin.

Son of Crown Court usher acted regularly as a juror

Regina v Salt

Before Lord Justice Staughton, Mr Justice Macpherson of Cluny and Judge Cower

[Judgment January 29]

A close relative of one of the staff of a court, who attended regularly as a juror in that court, came within the spirit if not the letter of the disqualification for jury service contained in Schedule 1 of the Juries Act 1974.

Mr Anthony Longworth, acting as the Registrar of Criminal Appeals, for the appellant; Mr Peter McCartney for the Crown.

The Court of Appeal so stated when allowing an appeal by Frederick Arthur Salt against his conviction on June 20, 1995 at Stoke-on-Trent Crown Court (Mr Recorder Warner and a jury) of burglary and assault with intent to resist arrest.

Mr Anthony Longworth, acting as the Registrar of Criminal Appeals, for the appellant; Mr Peter McCartney for the Crown.

LORD JUSTICE STAUGHTON said that the son of one of the ushers at the crown court had been called on by his father to sit as a member of the jury when the number of jurors available at that court was insufficient. A summons was issued, a ballot card created, and the son became one of the 12 jurors at the trial of the appellant.

It had come to the attention of their Lordships that the son had sat as a member of the jury in the crown court on five or six occasions during the previous year.

Under Schedule 1 to the 1974 Act, among the list of persons ineligible for jury service was an entry: "Officers and staff of any court, if their work is wholly or mainly concerned with the day-to-day administration of the court." The son of an usher, who regularly attended as a juror, could well be said to be within the spirit of that disqualification. He had become in danger of being regarded as an establishment person.

There was no rule of law that the selection of jurors had to be at random, but every effort should be made, so far as practicable, to ensure that the selection was random.

The selection of this juror exceeded anything which could reasonably be described as random or random so far as practicable.

Solicitors: Crown Prosecution Service, Staffordshire.

Plaintiff not protected when legal aid certificate spent

Turner v Plaspiags Ltd

Before Sir Thomas Bingham, Master of the Rolls, Lord Justice Gibson and Lord Justice Schiemann

[Judgment January 26]

Where a plaintiff had been granted legal aid limited to cover specific procedural steps, the certificate was spent once those steps had been accomplished.

Accordingly, where the certificate had not been discharged but the specific steps had been completed, he was not protected from liability for costs by section 17 of the Legal Aid Act 1988 as a legally assisted person in respect of any step taken outside the scope of the certificate.

The Court of Appeal so held, dismissing an appeal by the plaintiff, Jeffrey Turner, from Judge Ford, who, in the Patents County Court, on the plaintiff's filing notice of discontinuance of his action against the defendant, Plaspiags Ltd, had refused his application for an order that his liability for costs was limited as if section 17 of the 1988 Act applied.

The plaintiff was granted a legal aid certificate "to take proceedings against the defendant for breach of patent rights... limited to obtaining further evidence and thereafter counsel's opinion as to merits and quantum, to include sending of proceedings or a defence (and answer to that counterclaim) if counsel so advises."

Those steps were completed and thereafter the plaintiff, without further reference to the legal aid area committee for an extension of the certificate, proceeded to defend the action.

After considering the defence and

counterclaim served by the defendant, counsel for the plaintiff felt unable to recommend extension of the certificate and the plaintiff sought to discontinue the action.

Mr Gilead Cooper for the plaintiff; Mr Gregory Chambers for the defendant.

THE MASTER OF THE ROLLS said that the appeal raised an issue of considerable practical importance on the legal effect of a legal aid certificate granted to the present plaintiff: where the certificate was limited by reference not to particular claims or issues but to specific procedural steps or stages.

Limitations of that type had fallen for consideration in *Dugan v Williamson* [1964] Ch 59, and *Boorman v Godfrey* [1981] 1 WLR 1100.

The plaintiff had argued that he was at all times, in the terminology of the 1988 Act "a legally assisted person" as defined in section 2(1) with the result that he was entitled to the benefit of section 17.

The question was, since the plaintiff had been assessed as having a nil contribution, whether section 17 applied to the present facts.

In the absence of authority, but having regard to the language of the 1988 Act and the Civil Legal Aid (General) Regulations (SI 1989 No 339), his Lordship would regard the certificate as not limited to specific procedural steps or stages. The plaintiff did not have the benefit of a certificate to issue proceedings. That was something done without the benefit of legal aid.

There was no suggestion that the defendant incurred any significant

costs before the issue of proceedings. It incurred the relevant costs preparing and delivering its defence to proceedings which the plaintiff had no authority from the legal aid committee to issue.

His Lordship could not see how, in relation to those costs, the plaintiff was to be regarded as a legally assisted person. That was exactly what he was not. He had been such for the accomplishment of three clearly defined procedural steps. They had been accomplished. There was strictly no need to discharge the certificate. It was spent. Everything it authorised had been done.

The plaintiff had argued that *Dugan* and *Boorman*'s case compelled a different conclusion. His Lordship examined both cases. The effect of the former decision was both clear and correct. The latter decision was distinguishable. In that case the three procedural steps for which the certificate provided had not, in fact, been accomplished. Here they had.

If *Boorman*'s case was good authority for the proposition that a certificate protected the beneficiary against orders for costs during its currency even though it was limited to certain procedural steps and the costs in question had not been incurred in relation to any of those steps, the case did not entitle the present plaintiff to protection against costs, unless that case was also authority for the proposition that a certificate granted to cover certain procedural steps or stages protected the assisted party against an order for costs until the certificate was discharged.

That was not a sound proposition. *Littaur v Steegles Palmer* ([1986] 1 WLR 287) showed that the certificate did not have to be discharged if it was spent. In the present case, had counsel advised against proceeding and so declined to serve proceedings it would have been unnecessary to return to the legal aid committee to seek discharge of the certificate.

The certificate had covered all that had been done and there was nothing more to do. It was now spent. The only purpose of returning to the committee would have been to obtain an extension. That could have been done and it was plain that had application been duly made authority to issue proceedings would have been granted.

But that was not done. So from then onwards the plaintiff held no relevant certificate. His solicitors were not thereafter entitled to be paid by the board until a new certificate had been issued and the plaintiff was not entitled to the protection of section 17.

As in the *Littaur* case everything which the current certificate had authorised to be done had been done. The judge had reached the right conclusion and the appeal would be dismissed.

Lord Justice Peier Gibson agreed, and Lord Justice Schiemann delivered a judgment concurring in the result.

Solicitors: Mildred & Beaumont; Battersea; Eversheds; Nottingham.

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Scots Law Report February 1 1996 Inner House

Absence of proper consultation

King and Others v Eaton Ltd

Before Lord Justice-Clerk (Lord Ross), Lord Johnston and Lord Murray

[Judgment December 8]

Where an employer proposed to select employees for redundancy by means of certain assessment criteria, he was obliged to consult either the affected employees or their representatives about his proposed selection method, when the proposals had not finally been formulated, giving the consultees adequate information on which to respond, adequate time in which to do so, and an indication that he was prepared to give real consideration to their response.

The fact that at meetings with the unions no specific reference had been made by them to the selection method only served to establish the absence of proper consultation.

The Second Division of the Inner House of the Court of Session so held, allowing an appeal by Mr George King and three others against a decision of the Employment Appeal Tribunal allowing an appeal by their former employers, Eaton Ltd, against a decision of the industrial tribunal that the ap-

plicants had been unfairly dismissed.

Mr Peter Grant-Hushion for the employees; Mr Ian Truscott for the employers.

THE LORD JUSTICE-CLERK, delivering the opinion of the court, said that the applicants contended that the respondents had acted unreasonably in dismissing them for redundancy, in terms of section 57(3) of the Employment Protection (Consolidation) Act 1978.

The industrial tribunal had held that the respondents had failed to show that their method of selecting employees for redundancy had been fair in general terms and had been applied reasonably. The Employment Appeal Tribunal had reversed that decision.

The industrial tribunal had accepted that the respondents did not require to prove the accuracy of all the information upon which they had acted. Their decision had, however, depended *inter alia* on their finding that there had been no consultation worthy of the name with any of the employees.

Failure to consult could make dismissal unfair: see *British Aero-*

space plc v Green [1995] ICR 1000; *Ferguson v Prestwick Circus Ltd* [1992] IRLR 260; *Graham v A.B.F. Ltd* [1986] IRLR 90; *Robertson v Magnet Ltd* [1993] IRLR 512; *Polley v A.E. Dayron Services Ltd* [1988] 1 AC 344.

Robertson had been disapproved of in *Duff v Yeoman and Partners Ltd* [1994] IRLR 642, but their Lordships did not understand the Court of Appeal to have disagreed with the observations of Lord Goff on the importance of consultation.

In the present case there had been no consultation with the individual employees. The respondents contended that they had, however, been consulted with their trade unions. There had been a number of meetings with the unions at which no objection had been taken to the assessment method, nor any specific reference had been made to the proposed redundancy.

Their Lordships agreed with the definition of fair consultation of Lord Justice Giddens in *R v British Coal Corporation, Ex parte Vandy* [1993] ICR 720: "consultation when the propos-

als are still at a formative stage; (b) adequate information on which to respond; (c) adequate time in which to respond; (d) conscientious consideration by an authority of a response to consultation"; see also *Rosell v Hubbard Group Services Ltd* [1995] IRLR 159.

Their Lordships also accepted that the required consultation could be directly with the employee affected or with their representatives.

In the present case such discussions took place with the union representatives, but the proposals had been formulated, and there was no indication that the trade unions had been given any adequate time within which to respond, nor had any indication been given that the respondents were prepared to give any real consideration to any response from the union.

If there had been no specific reference at the meetings to the selection procedures and the assessment method, then the only possible conclusion was that there had been no proper consultation.

Law agents: L. & L. Lawrence; Aiken Nairn, WS.

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Newcastle's move for Asprilla near to collapse

By DAVID MADDOCK

IT WAS the silence, in the end, that spoke volumes. Newcastle United refused to make any comment last night about speculation emanating from Italy that their proposed £6.7 million move for the Colombia international, Faustino Asprilla, is in jeopardy. The signs were, however, that the transfer that has stirred so much interest has collapsed.

A spokesman for Parma, Asprilla's club in Italy, revealed yesterday that they believed Newcastle were ready to pull out of the transfer, which they claim had already been agreed. There was further speculation in the Italian media that Parma will now press for compensation from the English club if the deal does not go ahead.

The Parma spokesman said last night: "We believed that we had completed the sale of Asprilla to Newcastle last Friday. However, he still remains a player with us and it seems that Newcastle are now going back on their intentions. We are waiting to hear what their position is, but it would appear that Asprilla will remain a Parma player for the time being."

"We would be very unhappy if the transfer was not completed because we had an agreement and the financial deal was done. Newcastle had agreed the fee and we don't believe there is any room for renegotiation."

The Newcastle chairman, Sir John Hall, yesterday refused to comment on the growing conviction among most observers that they would not now complete the signing of the player who has convinced Newcastle to leave only a week ago that he was bound for the North East. A spokesman for Newcastle explained that Sir John and the club's chief executive, Freddie Fletcher, were bound for the United States last night, raising speculation that they may be intent on beginning the process of renegotiation with the Colombian who has remained in his home country since flying out of Newcastle after talks last Friday.

It is understood that

Newcastle officials have still to agree the exact nature of payment of a signing-on fee that has been agreed with Asprilla. He wanted a £2 million payment up front before he arrived in England; the club, on the other hand, want to pay the money over the course of a four-year contract.

There was further suggestion yesterday that the deal could have been jeopardised because of a medical examination the player had at a Newcastle hospital on Friday. It was reported that Asprilla was suffering from a knee problem that had put the move on hold.

The player, however, said from his home in Colombia last night that such speculation was wide of the mark: "I have not had any knee problems and I am perfectly fit to play. This is simply untrue. There are no problems with my knees at all."

Nevio Scala, the Parma coach, was adamant that any suggestion of a knee problem being to blame for doubt over the transfer was a smokescreen for Newcastle's apparent about-turn.

"We are not aware of any medical problems from the player at all. The only problem he has ever had with his knee was back in 1991 with his previous club, Nacional Medellin. There has never been an occurrence of that problem and we can guarantee that to Newcastle," he said.

Asprilla is at present serving a one-year suspended sentence for firearms offences in his native country and it could be that which has created the apparent impasse affecting the transfer.

Police officials have suggested that the sentence may prevent him from entering the country to take up employment, because the rules prevent any person remaining in the United Kingdom if they have been found guilty of a crime which carries a one-year jail sentence or longer in the British courts. Newcastle may be wary of paying so much money for a player who is not guaranteed the right to play his trade within these shores.



Phiri, the Zambia goalkeeper, is beaten during his side's surprise defeat against Tunisia in Durban yesterday

West Ham winning race to sign Dani

By OUR SPORTS STAFF

WEST Ham United appeared to be on the verge of pulling off a transfer coup yesterday, securing the services of Dani Carvalho, the Portugal international, until the end of the season.

Carvalho, 19, known better as Dani, is regarded as one of the most desirable commodities on the European market, a fact underlined by the air of secrecy that descended over Upton Park yesterday.

Harry Redknapp, the West Ham manager, admitted to having talks about the player, but refused to divulge further details of the proposed transaction. Peter Storr, the London club's managing director, was even less forthcoming. "We have nothing to say at the moment," he said.

Reports emerging from Portugal, however, suggested that Dani, of Sporting Lisbon, was on his way to London to undergo a medical as part of a proposed £130,000 deal. He is likely to be joined by the president of Sporting, Pedro

Santana Lopes, tomorrow to finalise the deal. The player would then return home and report back for training at West Ham on Monday.

Dani has fallen out with the Sporting management after gaining a "bad boy" reputation. He has been accused of leading an excessive lifestyle, but he remains a regular in the national side that has qualified for the European championship this summer and his talent is beyond doubt.

"He gets into the Portuguese squad, but can't get into the Sporting Lisbon team," Redknapp said. "Everyone says Portugal is one of Europe's best and it is not often you get the chance to sign their players."

Redknapp has run into problems obtaining work permits for his two recent international acquisitions — Slaven Bilic, of Croatia, and Ilie Dumitrescu, of Romania — but there would be no such problems with Dani, who is an EC national.

Bold Tunisia defy odds to reach final

By OUR SPORTS STAFF

TUNISIA continued their great adventure in the African Nations Cup yesterday by confounding the experts and reaching the final. The Tunisians achieved a surprising 4-2 victory over much-fancied Zambia in their semi-final at King's Park, Durban.

This has been Tunisia's best performance in the African Nations Cup since they last reached the final in 1965, when they lost to Ghana. After they defeated a penalty shoot-out to defeat Gabon in the quarter-finals, many thought that Tunisia, finalists two years ago and playing in their third semi-final in four tournaments since 1990, would be too strong.

However, the favourites were a pale shadow of the side that advanced so impressively to the last four. During the first hour of the match, Zambia were completely outplayed. Their play lacked invention and resolve and they found themselves trailing 3-0.

Adel Sellimi, Zoubeir Beya and Kaies Kodhane were Tunisia's scorers. Beya's goal after 30 minutes was probably the pick of the bunch, a curling free-kick from 25 yards that found James Phiri, the Zambia goalkeeper, hopelessly out of position.

Phiri was also left clawing at air as he tried to scuttle back to his goal after making a save on the edge of his area, only to see Kodhane beat him with a left-footed lob from 30 yards for Tunisia's third goal.

Zambia handed themselves back into the game with a goal by Dennis Lota in the 68th minute, but, although other chances followed, the Tunisian defence held firm and they secured a 4-2 victory in Saturday's final.

The German international, who made 20 appearances in the FA Cup, was named as the player of the match. He had joined the club in a loan deal, was also fined "just" over £80,000.

Nigel Spink, the Aston Villa goalkeeper, has signed for West Bromwich Albion on a free transfer. Spink, 37, a former England international, spent 19 years at Villa Park, but has agreed a 2½-year deal with Alan Buckley, the Albion manager, and is expected to make his debut away to Ipswich Town on Saturday.

Arsenal say Venables report was 'garbage'

By OUR SPORTS STAFF

KEN FRIAR, the Arsenal managing director, yesterday dismissed a report linking Terry Venables with the club as "total garbage". It had been alleged that the England coach, who intends to vacate his post after this summer's European championship, was being courted as a replacement for Bruce Rioch, the manager at Highbury, who has yet to sign a contract.

"We don't like commenting on reports like this, but it's total garbage," Friar said. "It really is."

It is understood that Rioch's acknowledged failure to sign the proffered four-year contract is not because of any dispute with the Arsenal board, but simply due to an administrative oversight.

Nicky Butt, the Manchester United midfielder player, has failed in his attempt to get a one-match suspension overruled. Butt, who was sent off during his side's recent 1-0 victory at West Ham United, had hoped that the Football Association would ask the referee, Stephen Lodge, to look at a video of the incident and reconsider his verdict.

Steve Double, an FA spokesman, said: "We are not considering the appeal as Butt was dismissed for two bookable offences. We feel the incident does not warrant further investigation."

But will miss the game with Blackburn Rovers at Old Trafford on February 10.

A court in Mannheim, Germany, yesterday passed a three-year suspended jail sentence on Maurizio Gaudino, the former Manchester City midfielder player, for his part in a car insurance fraud.

Gaudino, 29, was convicted after helping friends to make bogus claims for "missing" cars while he was playing for Eintracht Frankfurt in the Bundesliga.

Hutchison's pace gives England upper hand

PAUL HUTCHISON, the England Under-19 and Yorkshire fast bowler, was again the scourge of Zimbabwe Under-19 as the third and final international cricket match began in Bulawayo yesterday. Hutchison, who took eight for 43 in England's victory in the first match of the series, took six for 21 as Zimbabwe were dismissed for 143. By the close, England were 96 for three, with Noel Gle, of Nottinghamshire, unbeaten on 44.

David Murphy, the Zimbabwe all-rounder, hit 46 before being run out, but the day belonged to Hutchison, whose speed, accuracy and long, intimidating run-up have been influential in the series.

Dazzling Snow

Real tennis: Julian Snow, of Great Britain, won his second title at the US Open championships in New York when he partnered Nick Wood, the Hampton Court professional, to add the doubles title to the singles crown that he had already won in an all-British final. Snow and Wood defeated Chris Bray and Mike Gooding, the world No 1 doubles partnership.

League agreed

Ice hockey: The proposed super league became a certainty yesterday after a meeting at which officials of the new league and representatives of the British Ice Hockey Association signed an agreement allowing the new league to operate. Detailed information regarding membership criteria will be submitted to clubs next week and it is hoped to announce the new franchises in March, with the league starting next season.

Garrett on line

Basketball: Worthing Bears will replace Derrick Platt with Tim Garrett, the 6ft 8in American forward, Garrett, 34, was granted a work permit yesterday and is expected to make his debut in the Budweiser League on Saturday.

FOR THE RECORD

NATIONAL ASSOCIATION (NSA): Los Angeles Lakers 128 Golden State 118, Chicago 96 Houston 87, Indiana 107 Atlanta 80 Phoenix 114, New York 88 Boston 99, Denver 88 Minnesota 86, Dallas 105 Los Angeles Clippers 101, Seattle 97 New Jersey 86 Sacramento 102 Toronto 78.

BOXING: Featherweight: Colin McMillan (England) vs Justin Murphy (Scotland) 40 min. Feather: Chris Eubank (England) vs Andrew Robinson (Wolverhampton) 10 min. Super-middle: Jason Hart (Ireland) vs Ernie Lovegrove (Wolverhampton) 10 min. Light-heavy: Eddie Knight (England) vs Graham Townsend (Scotland) 10 min.

CRICKET: One-day international: New Zealand v Zimbabwe. Wellington: Zimbabwe won 101-50 (New Zealand bowled out for 100).

ZIMBABWE: 1. W. Parnell run out (Thompson). 2. C. E. Enns c Fleming b Morrison. 3. G. Whittall run out (Thompson). 4. A. Flower bowled. 5. D. P. Catterall bowled. 6. D. P. Catterall bowled. 7. A. Flower bowled. 8. D. P. Catterall bowled. 9. A. Flower bowled. 10. D. P. Catterall bowled. 11. A. Flower bowled. 12. D. P. Catterall bowled. 13. A. Flower bowled. 14. D. P. Catterall bowled. 15. A. Flower bowled. 16. D. P. Catterall bowled. 17. A. Flower bowled. 18. D. P. Catterall bowled. 19. A. Flower bowled. 20. D. P. Catterall bowled. 21. A. Flower bowled. 22. D. P. Catterall bowled. 23. A. Flower bowled. 24. D. P. Catterall bowled. 25. A. Flower bowled. 26. D. P. Catterall bowled. 27. A. Flower bowled. 28. D. P. Catterall bowled. 29. A. Flower bowled. 30. D. P. Catterall bowled. 31. A. Flower bowled. 32. D. P. Catterall bowled. 33. A. Flower bowled. 34. D. P. Catterall bowled. 35. A. Flower bowled. 36. D. P. Catterall bowled. 37. A. Flower bowled. 38. D. P. Catterall bowled. 39. A. 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Down South, they know how to spoil a child

As she walks on stage at the Southern Charm Pageant, Asia will be wearing make-up, lipstick, rouge and an outfit which has cost \$1,000 to make. For now she is rehearsing her song in the kitchen at home, thrusting out her left hip during the second of these lines from the old Brenda Lee hit, *Sweet Nothings*.

"Sittin' in peace tryin' to read my book, My baby gives me that special look."

In certain circumstances the scene would be of passing interest and perhaps risible. In the circumstances we consider today a more serious reaction is required, for Asia is five years old. So is her main rival, Brooke, another blonde.

Their parents, and especially their mothers, are no doubt good Southern folk. As the point in *Under the Sun: Painted Babies* (BBC2) last night did either mother show so much as a qualm about

placing their child in a meat market, about encouraging the perception that to be some kind of child-woman, judged entirely on superficial appearance, is a good thing.

This was quite the most shocking television programme I have seen in some time. It was all the better, if the word can apply, for being transmitted with a flat narration which contained no comment. Parents on the beauty pageant circuit, a peculiarly Southern white phenomenon, were left condemned by their actions.

The prizes are big: cars, holidays, thousands of dollars in cash. Contestants as young as three months are crowned at by the pageant host. The Southern Charm Pageant, biggest in the South, lasts for three days and includes sections on beauty, personality and singing.

Asia, from Baton Rouge, Louisiana, won her first contest when she

was nine months old after which, her father said, "we really got addicted." By "we" he presumably means himself and his wife, for the prospect of a nine-month-old child becoming addicted to beauty contests is not a likely one.

Asia soon got the idea, as she announced to the camera from her front porch: "I like to go where the cars are 'cos my grandma really wants a car and we want money, money, money." Asia's parents, of course, already have a car, a sort of mobile rehearsal room: "It's a lot of fun," her mother said. "We stay in the car most of the day."

Brooke, too, is a sophisticate when it comes to car travel: every two weeks she and her mother make a 400-mile round trip to Nashville to visit Brooke's voice coach, who says she has come on a treat. Her pitch is near perfect.

One can only guess as to what

REVIEW



Peter Barnard

condition her sense of proportion is in. Her teeth, though, are also perfect. For contests, a plate is inserted where milk teeth have left a gap by inconsiderately falling out but even this is not much use when second teeth start to push through. Her mother sighed: "Mother Nature has kicked in, there's nothing we can do about it."

At the end of the pageant, which Brooke won, with Asia third, the

former's mother was ecstatic while the latter's was bitter and resentful of the judges. Brooke's mother said: "I was pleased. I thought she looked like a Barbie doll."

This announcement, made with pride and not a trace of irony, was capped by Asia's mother: "I don't think it's right what they do to innocent children." She said it but I don't think "they" are the problem.

The kind of society that produces child beauty contests would make an interesting study for Francis Fukuyama, whose *The End of History* was at once a bestseller and the centre of intense critical debate. Most of his detractors took the title too literally, for by "the end of history" Fukuyama meant that the collapse of the Eastern bloc had ended the battle between capitalism and communism in favour of the former. But by expressing that in a title aimed at the bestseller lists.

Fukuyama was interviewed by Andrew Marr in *The Big Idea* (BBC2), an interesting but at times listless conversation mainly focused on *Trust*, Fukuyama's new book analysing what he calls "high trust" and "low trust" societies. By his definition, trust is the extent to which societies have strong institutions—government, church, social structures—which produce freedom within stability; thus he defines Germany as high trust and southern Italy as low trust.

What about Britain? "A hard country to categorise," he says. "Why? Because whereas Britain has the structures and the stability it has retained the class system, which tends to organise society in a horizontal way."

If *Hetty Wainthropp Investigates* (BBC1) is to generate a second series it can only be on the popularity of Patricia Routledge, rather than any dramatic quality.

The stories are watchable and the first in the series promised a pleasant if undemanding 50 minutes in the middle of the evening.

Since then, not much. Last night's penultimate episode added the search for a missing young man with a mental disorder never caught fire. I do not share the view that a 60-year-old woman suddenly turning detective lacks credibility; on that basis Miss Marple would be a non-runner. But success calls, in some measure, for the expansion of characters and none in *Wainthropp* has expanded by a millimetre.

Too much hangs on Routledge and too much of her part hangs on quirky aphorisms and the kind of ooh-ee-ness whose shelf-life expired years ago. One of the mysteries of television is the patchiness of BBC evening drama: Monday's *Our Friends in the North* and Wednesday's *Wainthropp* are from different planets.

BBC1

6.00am Business Breakfast (13710)

7.00 BBC Breakfast News (9105584)

10.00 News (CeeFax) (9105584)

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BBC2

6.00am Business and Work (11352)

7.00 Breakfast News (1135272)

7.15 Lennie (1135272) 7.40 Teenage

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CHOICE

My Brilliant Career: Terry Maher — A

Tale of the Unexpected (BBC2, 8.00pm)

A former pupil of Terry Maher's school in

working-class Manchester reckons one

quarter of the boys have achieved something

half are unemployed and the rest in prison.

Maher was definitely an achiever. He was

the rough-edged accountant who came south

to London, took on the book trade and shook

it to the roots. He bought Dilsons from

London University and turned it into

Britain's most profitable bookshop. From

this base he set out to smash the Net Book

Agreement, which had prevented price

competition. What did Maher was not an

irate book trade but the recession. He went

on expanding, the debts piled up and the

banks closed in. Maher reflects on his rise

and fall with measured detachment and you

feel he will be back.

Scandals

Channel 4, 9.00pm

Debi Mills from Nottingham works in

bridal wear but not, she hopes, much

longer. Hair in curlers and carrying a mop,

she auditions for the Haven holiday camp

chain. Her number is the appropriately

stilted bit from Queen, *I Want to Break Free*.

If her potential employers like her act, and

can overlook her smutty additions to

Queen's lyrics, the job of Havenite must

be hard for the holiday season. This is the

first of a six-part excursion into *Hi-De-Hi*.

On the early evidence life has changed. But

it is difficult to remember a scene in the

'David Croft-Jimmy Perry sitcom

comparable to the one in which the new

paramedics are warned about sexual

liaisons. "Four

IRFB tries to control transfers

Board insists
on 180-day
eligibility rule

By DAVID HANDS, RUGBY CORRESPONDENT

THE International Rugby Football Board (IRFB) has frequently bemoaned its lack of teeth. Yesterday, it revealed an unexpected bite when it demanded that member unions adhere to a 180-day player eligibility regulation so that rugby union's change from amateurism to professionalism could be effectively managed.

However, board officials admitted they would have to wait and see whether their hopes of controlling rugby union's burgeoning transfer market would be successful. A proposal that is designed to prevent clubs from poaching players from the home unions will be difficult, if not impossible, to implement in the close-knit confines of the home unions.

As in so much of their legislation, the board has a built-in permissive clause: were a London club to sign a French player, for example, they could appeal to the Rugby Football Union (RFU) to agree with the French federation for a lesser eligibility period to apply. Since the RFU are already proposing a seven-day qualification for moves within the European Community, the 180-day clause would become invalid.

"This seems to be a very restrictive move in a game that has taken the decision to go open," Tony Hallett, the RFU secretary, said. "It would appear to involve restraint of trade and we are unclear

whether it will operate in England. We will have to consider this in minute detail, but I can't see the first division clubs wearing it."

Yet rugby's rulers, having concluded their annual council meeting in London, seem confident that any challenge in the civil courts to their ruling on the grounds of restraint of trade could be resisted. Vernon Pugh, the chairman of the Welsh Rugby Union, who has been elected chairman of the

RULE CHANGES

□ Players must be resident in a country for 180 days before being eligible to play in competitive matches when moving from one union to another.

□ All eight forwards must remain bound to the scrum until it ends.

□ A lineout jumper can be supported once the ball has been thrown in and he has started his jump. He can use either or both hands to catch or collect the ball provided he has both hands above his head.

IRFB and is himself a barrister, said: "Rugby is too precious to be thrown away to those moneyed interests which can buy up the best players."

"You do need a regulation, otherwise a few clubs will have all the best players. At a time when the game is changing from amateur to professional, we need to ensure that everyone has a fair chance of

entering the new age with some or all of their best players in place."

The main point of the regulation is to prevent the year-round player moving from one hemisphere to the other, although player contracts are likely to prevent that anyway. It is also to stop such nations as New Zealand taking the best talent from the Pacific islands.

"This is a settling-down period for rugby and I have no doubt that the courts would say that rugby should control its own destiny and that this is the minimum regulation necessary," Pugh said. "Unions can agree between themselves for a different position to apply but people will be very careful before they do that."

"If the market is left unregulated, it will be to the disadvantage of the game as a whole. We want to retain the integrity of the development programmes in each union. Maybe in six years' time, when contracts have been worked out in the way other professional sports have done, we can look again."

Under the ruling, Newcastle, who have registered Gary Armstrong and Dodi Weir from Scotland, would be unable to play them, save with the agreement of the respective unions involved. However, Freddie McLeod, who is retiring as one of Scotland's IRFB representatives, said it was unlikely that any difficulty would be placed in the path of Armstrong, whose home in Jedburgh is little more than 50 miles from Newcastle, and that Weir was intending to move from Melrose to live there.

"We have played by the rules this season with regard to the 120-day regulation," Rob Andrew, Newcastle's director of rugby, said. "It was never envisaged that the 180-day rule would apply to home-union players. Initially, it was to apply to overseas players."

In Pugh's view, the contentious Jean-Marie Bosman case in football had only limited application to rugby. "That is concerned with the ability of a player to move at all, not with the regulations under which he can do so," Pugh said. Sir John Hall, chairman of Newcastle United Sporting Club, may take a different view and last night was seeking legal advice of his own.

Two of the main experimental law changes approved yesterday involve forwards. First, the eight players forming a scrum must remain bound until the scrum is over, thus limiting the ability of back-row forwards to break off and form a second wave of midfield defence. Second, in the lineout, jumpers can use either hand or both to catch or deflect the ball, provided both are above his head. This does away with the outside-arm regulation.

The board also gave its support for the concept of tours, which had been under threat but is now seen as fundamental to development.

After a century in England, the IRFB is to move its headquarters to Dublin so that it can become a more tax-effective body.



Mark Bell, the New South Wales hooker, is held up by the England A pack during his side's 24-22 defeat at Welford Road. Report, page 41

Robson to be offered England post

By DAVID MADDOCK

BRYAN ROBSON is to be offered the chance to succeed Terry Venables as coach of the England football team. The Middlesex manager will be approached with a formal offer from the Football Association to assume the position that becomes vacant this summer.

After a 90-minute discussion on Tuesday, the FA sub-committee empowered with the task of selecting the new coach settled upon Robson as the ideal man to continue the work Venables has started. Several candidates were discussed and a shortlist drawn up, but the decision to approach Robson first is believed to have been unanimous.

Robson is already a part-time member of the England coaching staff and it was

decided that he represents the route of least upheaval when Venables departs after the European championship in June.

The sub-committee is now expected to attempt to persuade Robson to withdraw his earlier reservations and accept the job. He will be offered the position of coach, with a senior football figure, such as Don Howe, alongside him to offer guidance.

Robson is by no means certain to comply, given comments he has made recently, indicating that he is not yet ready to turn his back on Middlesbrough. The meeting, however, lingered over the means by which Robson might be persuaded. The five-man committee agreed that the situation was likely to alter radically once a formal approach had been made.

It is probable that the initial approach will be an informal one, from Jimmy Armfield, the FA's adviser. Armfield will put it to Robson that he is the first choice. He will outline the many reasons the job should be taken and report back on the mood of the FA's quarry.

The five-man committee is

Aspirin doubt 40
Tunisia defy odds 40

hoping that Robson's earlier comments were designed to appease his club in the days when it was unsure on whom the FA would alight as a successor. Presented with the fact that he is the chosen man, the committee is confident Robson's position will be revised.

If that proves to be the case, the former England international will have formal talks with Graham Kelly, the FA's chief executive, and Sir Bert Millichip, the chairman. It is hoped that significant progress can be made before the sub-committee is due to meet again by the middle of February.

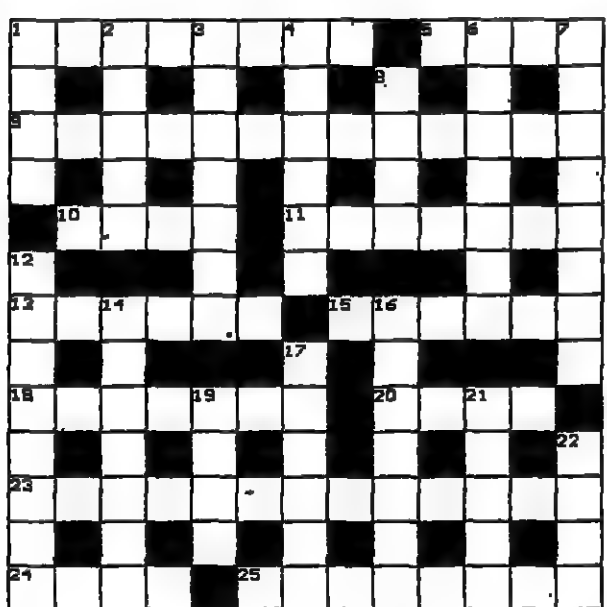
The mood of the committee was upbeat on its conclusion on Tuesday afternoon. The five good men believe that they have their man, despite the long process of negotiation still to be endured.

It is likely, also, that Howe, at present a coach within the England set-up, will be upgraded to offer support to Robson as he comes to terms with the new position. Howe is not the only possibility, though: Bobby Robson, the former England manager now

with FC Porto in Portugal, is an interesting alternative.

If Bryan Robson proves to be less responsive than the FA believes, it will return to the sub-committee stage and reassess its list of candidates, which includes Glenn Hoddle, of Chelsea, and Gerry Francis, of Tottenham Hotspur.

□ Ireland's search for a new manager is nearing completion. The Football Association of Ireland (FAI) is to hold a second round of interviews next week, with Mick McCarthy the strong favourite. Joe Kinnear and Mike Walker are also expected to be invited back, but the growing support for McCarthy makes him almost certain to be confirmed as the replacement for Jack Charlton when the FAI council meets tomorrow week, ten years to the day after Charlton's appointment.

TIMES TWO
CROSSWORDNo 693 in association with
BRITISH MIDLAND

ACROSS

- 1 Single-wife system (8)
- 5 Mil. Rute. Scot. region (4)
- 9 Where beginners ski (7,6)
- 10 Flightless bird; mother of Zeus (4)
- 11 Sharing another's feelings (7)
- 13 Itinerant salesman (6)
- 15 Leg bone; St Paul's birthplace (6)
- 18 Slide unsteadily (7)
- 20 Clenched hand (4)
- 23 Meditation pose (5,8)
- 24 Smell strongly (4)
- 25 Miserable, poor (8)

DOWN

- 1 Food list (4)
- 2 Prime Minister; direction (5)
- 3 Exploding pineapple (7)
- 4 Violent destruction (6)
- 6 Stimulus; motive force (7)
- 7 Writer of short pieces (8)
- 8 Beat panic (4)
- 12 James —, Nocturne painter (8)
- 14 Jet inventor; shave with knife (7)
- 16 Cause great distress (no) (7)
- 17 Emotional warmth (6)
- 19 Communion wafer (4)
- 21 Pulled-curtain sound; smart (5)
- 22 — Blyton (4)

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Post your entry to Times Two Crossword, PO Box 6886, London E2 8SP to arrive by next Monday. The winners' names and solution will appear on Wednesday.

Name/Address

SOLUTION TO NO 692

ACROSS: 1 Lard 7 Acronym 8 General 9 Own goal

11 Thames 13 Miles away 15 Salacious 19 Let rip 21 Pretzel

23 Addition 24 Outrigger 25 Munch

DOWN: 1 Leg it 2 Tin hat 3 Harlem 4 Halo 5 Loggia

6 Pyjamas 10 Woe! 12 Simile 14 Fair do's 16 Action 17 Seldom

18 Arisen 20 Punch 22 Lark

Showdown for British pair

By OUR SPORTS STAFF

TIM HENMAN and Mark Petchey, the British tennis players, will meet each other in the quarter-finals of the ATP Tour event in Shanghai after straight-sets victories in the second round yesterday.

Henman, the 21-year-old Oxford player, beat Jim Grabb, of the United States, 6-2, 7-6, while Petchey, 25, from Essex, defeated Patrick Baur, of Germany, 6-4, 6-4. The last time they met, in the ATP Challenger event in Newcastle in July, Henman won 7-5, 6-2.

Chris Wilkinson, the No 5 seed from Southampton, bowed out of the ATP challenger event in Lippstadt, Germany, yesterday, beaten 6-1, 6-7, 6-2 in the second round by Radomir Vasek, of the Czech Republic.

The International Tennis Federation (ITF) said yesterday that it will "vigorously" defend itself against a High

Court action by Mats Wilander, of Sweden, and Karel Novacek, of the Czech Republic, who are accusing the world governing body of a drug allegations smear.

Lawyers for the two players have served a writ on the ITF



Henman: straight-sets win

in London saying they have not been given a fair chance to defend themselves against suggestions that they tested positive for cocaine at the French Open last year. Both players deny the allegations.

Andre Agassi will lose his ATP world No 1 ranking to Thomas Muster, of Austria, later this month. Agassi, of the United States, only regained the top ranking from Pete Sampras at the Australian Open last week, where he lost in the semi-final.

It will be the first time that Muster, who won 12 tournaments in 1995 including the French Open, will have held the No 1 spot, but he may be there for only one week. The Australian Open champion, Boris Becker, will be playing in Dubai, and Agassi and Sampras are playing in a tournament in San Jose. All have chances to overhaul Muster's points tally.

Gunnell plans to put fitness on trial

By OUR SPORTS STAFF



Gunnell comeback test

SALLY GUNNELL, of Essex, the Olympic 400 metres hurdles champion, confirmed yesterday that she will race in Britain for the first time for nearly 18 months this week-end.

Gunnell will run the 400 metres against the European Cup winner, Melanie Neef, at the two-day AAA indoor championships being held in Birmingham — a stiff test of her fitness and competitiveness at the start of the Olympic season.

Her last domestic appearance was in the World Cup at Crystal Palace in September 1994. She had to write off last

year — and her defence of the world title in Gothenburg — because of a heel injury that later needed surgery.

Ladbroke's responded to news of Gunnell's reappearance by offering 3-1 against her winning the gold medal in the 400 metres hurdles in Atlanta.

Gunnell will also run at the Ricoh Tour international event in Birmingham on February 10, facing one of her great hurdle rivals, Sandra Farmer-Patrick, of the United States. At that meeting, Tony Jarrett will take on the American, Allen Johnson, who denied him the world sprint

hurdles title in Gothenburg last summer.

The British Athletic Federation (BAF) yesterday came to the support of Linford Christie, who has been accused of feigning injury in last summer's world championships. Tony Ward, the BAF spokesman, rejected the claim by Donovan Bailey, of Canada, that Christie was fit when he started and finished the 100 metres final in Gothenburg.

"These comments are not credible," Ward said. "They reflect unfairly on Linford's efforts to defend the title and on our own medical team, which treated him."

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'Free education for blacks' campaign is threatening to close poor universities

Campuses braced for anti-fees riots in South Africa

FROM R. W. JOHNSON IN JOHANNESBURG

THE violent scenes at the University of the Western Cape in the past few days have produced dramatic television footage reminiscent of the apartheid era, with angry black students confronting armed police.

Other universities are preparing themselves for similar confrontations, made virtually inevitable by the "open access" campaign being waged by the South African Students Congress. The congress hopes to establish the principle that failure to pay university fees shall not be a sufficient reason to exclude anyone from entering a university. The campaign is phrased this way because the group is happy for white students to pay fees; in effect it is demanding free tertiary education for blacks.

The brunt of the campaign will be felt at the Historic Black Universities, which have the largest number of black students and are also the poorest. Black students have tended to live in the non-payment culture which afflicts black townships, where recent

surveys show 65 per cent failing to pay rent or rates.

Many young blacks feel that education is their right, and quote the African National Congress's Freedom Charter: "And the doors of education shall be thrown open". The result is that at many of the Historic Black Universities more than half the students are behind on their fees and the institutions are running deeper into debt. Many of these universities are close to collapse and there are fears that the present campaign could see many of them shut down for long periods.

The universities have announced that they cannot register for 1996 those students who have not paid their fees for 1995. This would mean the exclusion of a majority of those part-way through their courses and this is what the Students Congress finds the dry tinder for the fire threatening to engulf campuses right round the country.

A gloomy academic at the University of Zululand said yesterday: "We are on the

brink of war. The university is flat broke — indeed, it is heavily in debt. Many of the students have spent their bursters and grants on nice clothes or have sent the money back as remittances to poor relatives in the rural areas. The students won't pay and the university can't pay either. In effect, the students are demanding that the Government just write open cheques to the universities, and the Government won't do that."

The Government and the ANC have made no comment on the students' campaign. The old and middle-aged ANC elite looks with considerable nervousness at the rising wave of youth agitation and has no stomach for a fight, even though it knows that it cannot satisfy their other Utopian demands. The Government seems keen to leave the problem with university administrators rather than get into an open confrontation with its own radical youth wing.

It is difficult, however, to see how this position can be maintained if, as seems likely,



Students clash with police at the University of the Western Cape yesterday after staging a sit-in in support of "open access"

violent scenes spread across the country's campuses. The Government already spends proportionally much more on education than do most other countries and it has been cutting back on tertiary education expenditure to have more room for the burgeoning primary sector.

Schools are also under enormous pressure, with huge crowds of black children clamouring for admission to over-

crowded classes. The Congress of South African Students has launched a campaign for schools to be fully integrated and in Pietermaritzburg, a largely Afrikaans town, white parents have physically barred the way to would-be black pupils.

Both student bodies are funded by the Congress of South African Trade Unions, all of whose top leaders are members of the South African Communist Party. This has led some to wonder whether the Communists are trying to use the explosive situation in the schools and universities to pressurise the Government.

The party remains committed to a second-stage revolution, in which the "national democracy" achieved in 1994 would ultimately give way to full-blown socialism. However, the Communist Party's strategy is not clear and it too

is riding a tiger, for the phenomenon is simply the enormous pressure of the ever-growing ranks of black youth, determined to use whatever means are to hand to demand their place in the sun.

No one is able to control this large and unruly constituency, and it remains to be seen how well the educational system will cope with the new wave of demands that it cannot accommodate.

Pakistan threatens arms race with India

BY CHRISTOPHER THOMAS
SOUTH ASIA CORRESPONDENT

PAKISTAN said yesterday that it may be forced to enter an arms race if India continues its missile programme. Islamabad is worried that the Prithvi missile, which India has successfully test-fired several times, will be deployed along its border.

The weapon is capable of carrying a nuclear warhead and its deployment would mean a big shift in the military balance. America has warned India that deploying the missile could lead to an arms race. President Leghari of Pakistan said yesterday his country would do whatever it could to respond to any deployment.

"The Prithvi missile will create a very serious and new threat for Pakistan," he said. "We can also put in our effort to produce an indigenous missile, but we wish to avoid such a race."

India conducted what it said was a successful test last Saturday of a longer-range version of the Prithvi, which the Defence Ministry said struck its target 155 miles from its east coast launch site.

Mr Leghari said Pakistan had yet to decide how it would counter any Indian move to start full production of the Prithvi, which would be "tantamount to deployment". India is developing a number of missiles, including the Agni, which has a range of up to 1,500 miles and would be capable of penetrating China, with which India went to war in 1962. Pakistan is believed to have taken delivery of Chinese-made missiles but has not deployed them.

India and Pakistan have fought three wars, two of them over the disputed region of Kashmir, which was divided between the two countries in 1947. India has begun fencing the border, officially known as the line of control, to try to stop the flow of guns from Pakistan to Muslim separatists in the Kashmir Valley. Tensions between the two countries, both of which are nuclear powers, constantly flare up.

Peking troops woo colony with song

FROM JONATHAN MURPHY
IN HONG KONG

SOLDIERS of the People's Liberation Army, hand-picked to man the Hong Kong garrison after 1997, are planning to capture the colony by song.

An album of 15 songs specially composed for the Red Army First Regiment has been released. The unit is named after a force founded in 1927 by Mao Tse-tung that was defeated by its Nationalist adversaries. The songs are sung in Mandarin, which few in Cantonese-speaking Hong Kong understand, and did choose because the new soldiers are billed as fluent in the local language.

One song, *Beautiful Bauhinia*, refers

to the city's official flower, while others are devoted to love for Hong Kong and assurances to the soldiers' mothers and motherland that the troops fear nothing.

Hong Kong citizens, who remember when young Maoists roamed the streets in the 1960s, will recognise the picture on the album cover of soldiers, sailors, and airmen striking heroic poses, with the colony's buildings behind them beneath the red flag.

This is the latest weapon in the propaganda campaign aimed at assuring Hong Kong that the 6,000 soldiers to be stationed from July next year are different from those who shot demonstrators in Tiananmen Square in 1989. On Monday the Communist press devoted

many columns to this friendly future garrison, pointing out that its members are picked for height, good looks, excellent skills in English and Cantonese, driving on the correct side of the road, and for their non-interest in business.

One colonel, Zhou Borong, is said to have spent a year at the Royal College of Defence Studies and is seen to be "close" to British officers.

Major-General Liu Zhenwu, the commander, described himself as intensely patriotic. "My great grandfather, Chen Yihai, was an officer in the Qing Dynasty Human army. Hong Kong was lost by the Qing army," he added that his force would be used for internal security only with permission from Peking.

Thais to kill 150,000 stray dogs

FROM ANDREW DRUMMOND
IN BANGKOK

OFFICIALS in Thailand have announced a plan to kill, within five years, up to 150,000 stray dogs by poisoning, in an attempt to eradicate rabies.

The proposal, announced in Bangkok by Vjitt Sujaphes, the Deputy Director of the Livestock Development Department, was initiated to commemorate the fiftieth anniversary of King Bhumipol Adulyadej's accession to the throne.

It follows a poll showing

that 66 per cent of Thais support the idea of disposing of the strays — unusual in Buddhist Thailand where animals are normally killed only for their meat.

The plan has, however, already been criticised by animal welfare groups. Sirilak Srimuang, the president of the Society for the Promotion of Animal Welfare, said it was inappropriate to link the campaign with such an auspicious occasion.

Three million of the more than ten million dogs in Thailand are estimated to be

strays. Cities such as Bangkok are plagued by packs of feral strays who often attack strangers. Last year, more than 160,000 Thais sought rabies vaccinations after being bitten by dogs, at a cost of more than \$5 million. Rabies killed 185 people.

A previous plan to stage a boxing fight involving Mike Tyson to mark the anniversary was abandoned two weeks ago, after there were complaints that it was highly inappropriate to invite a convicted rapist to honour the monarch.



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FROM MARTIN FLETCHER IN WASHINGTON

Packwood: charged with sexual harassment

At a meeting of freshmen in Baltimore last week there was agreement that Mr Clinton had proved tougher than expected and won the public relations war by painting the Republicans as extremists and himself as the defender of social programmes. Mr Gingrich has acknowledged feeling like a minor league baseball player "who can't hit major league pitching".

Thirteen months after taking power the Republicans unquestionably have changed the political debate, but they have enacted just two of the ten promises in their *Contract with America*.



**FROM GILES WHITTELL
IN LOS ANGELES**

TO A deafening and emotional ovation, the most famous sportsman to contract HIV returned to professional basketball and scored 19 points in his team's stylish victory.

When Earvin "Magic" Johnson was summoned off the bench to replace a Los Angeles Lakers player sent off

for a foul on Tuesday night at the Great Western Forum erupted for a full minute.

Since announcing in 1991 that he was HIV-positive, the man who reigned supreme over his sport for much of the 1980s has lost lucrative advertising contracts as companies distanced themselves from the virus and the self-confessed promiscuity that had consumed him to it.

FROM TOM RHODES IN WASHINGTON

America has been pressing for a signing later this year of a comprehensive test ban treaty. M Chirac, who had defied global protests and ordered the resumption of nuclear testing in French Polynesia, announced an end to the tests on Monday and said France would lead the crusade on big disarmament issues.

Renewed French commitment to that end has lent extra importance to the Washington visit during which M Chirac will attend a state dinner at the White House tonight. "We warmly embrace M Chirac's decision to a White House offi-

M. Chirac may receive a slightly cooler reception to his address on Capitol Hill. Certain Democrats have threatened to boycott the speech, because of the six nuclear tests conducted since last autumn, while hardline Republicans may flinch at his message. M. Chirac is to urge Congress to avoid isolationism and will remind the Republican majority that Europe spends £20 billion a year on foreign aid, three times the amount earmarked by America.

Obituary, page 11

Frozen assets

BY NIGEL HAWKES
SCIENCE EDITOR

A CHIMPANZEE infected with HIV has developed symptoms of Aids. Until now it had been believed that, unlike monkeys, chimpanzees were resistant to the syndrome. The chimpanzee involved was infected with one strain

of HIV 11 years ago, a conference in Washington was told yesterday by Dr Francis Novembre of the Yerkes Primate Research Centre at Emory University in Atlanta. Two years later it was injected with another strain of the virus.

The team was able to show that the virus had entered the animal's system. In subsequent years the

chimpanzee showed a gradual decline in CD4 immune system cells, similar to that seen in humans infected with HIV. The CD4 count is used as a monitor of the health of the immune system.

In the chimpanzee, CD4 counts fell, then rose, then fell again. Last March the animal developed chronic diarrhoea and infections

that are the hallmark of Aids. The time it was taken for full symptoms to develop is not different from that in man, but the hope that chimpanzees might provide clues about preventing the development of the disease can no longer be sustained.

heard encouraging news about Aids. A new drug called Crivivan developed by Merck Sharp and Dohme, has shown the ability, in conjunction with other drugs, to reduce the level of HIV below the detection threshold.

Crixivan is one of a new class of Aids drugs called protease inhibitors. The results, presented by Dr. Roy Gulick of New York University School of Medicine, have excited doctors

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Questionnaire

3. Your personal details

Height:

Build: slight ☐ medium ☐ large ☐

Hair colour:

Dress/Looks: casual ☐ fashionable ☐

elegant ☐ sporty ☐

4. Your work

Present job:

Self-employed ☐ employed ☐

civil servant ☐ manual worker ☐

part-time ☐ not working ☐

unemployed ☐ retired ☐

Education

O levels / GCSE's ☐ A levels ☐

Further Education ☐ University ☐

Technical Qualification ☐

Other:

5. Your Personality

☐ Affectionate

☐ Fashionable

☐ Serious

☐ Practical

☐ Considerate

☐ Conventional

☐ Shy

☐ Reliable

☐ Romantic

☐ Adventurous

6. How would people who know you best describe you?

☐ always ready for a joke

☐ somewhat dreamy

☐ never has problems

☐ takes life a bit too seriously

☐ not easily upset

☐ always active

☐ chatty

7. Your interests

☐ Wine/Dining ☐ Jazz/Folk music

☐ Pubs

☐ Classical music

☐ Sports/Keep fit

☐ Theatre/Arts

☐ Politics/History

☐ Watching TV

☐ Reading

☐ Smoking

☐ Travelling

☐ Astrology

☐ Science/Tech

☐ Children

☐ Cinema

☐ Homemaking

☐ Pets/Animals

☐ Gardening

☐ Pop music

☐ Countryside

8. Details of the partner you would like:

Min. age: _____ Max. age: _____

Height: min. _____ max. _____

Don't mind ☐

Marital status: Single ☐ Divorced ☐

Widowed ☐ Separated ☐

Don't mind ☐

9. Which of the three pictures do you prefer? (tick the box)

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2. Personal Information

Marital Status: Single ☐ Divorced ☐

Widowed ☐ Separated ☐

Religion: _____

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At least 55 killed and more than 1,500 injured as Tigers destroy Sri Lanka's commercial heart

Tamil lorry bomb rips apart central bank in Colombo

FROM VUTTHA YAPA IN COLOMBO AND
CHRISTOPHER THOMAS, SOUTH ASIA CORRESPONDENT

A HUGE lorry bomb tore apart the centre of Colombo, the Sri Lankan capital, yesterday in one of the biggest attacks by the Tamil Tigers in 13 years of civil war. At least 55 people were killed, and more than 1,500 injured. A radio station put the toll at 91 dead.

The bomb devastated the Central Bank of Sri Lanka in the most affluent part of the commercial capital. Authorities fear that a number of people remain buried inside the buildings which were still smouldering last night while helicopters ferried water in huge containers to pour on flames.

A Defence Ministry spokesman said two suspected Tiger rebels had been arrested. A separate statement said security forces had also seized two bomb-making kits, two automatic rifles with ammunition and two radio sets, and had found a disposable rocket launcher near the scene of the explosion.

Witnesses said a lorry stopped near the bank at about 10.45am and was confronted by security staff. Suddenly, about five people jumped out of the vehicle with guns blazing and exploded two bombs. Meanwhile, the lorry reversed into the Central Bank and blew up.

Buildings in the area, including the 14-storey headquarters of the Ceylinco Group, were engulfed in flames. Firemen and security officials used cranes and helicopters to rescue workers

trapped on upper floors. Police said they suspected the Liberation Tigers of Tamil Eelam were responsible for the bombs. The rebels were doubtless avenging their humiliation when thousands of government troops drove them out of their stronghold in Jaffna City, on the northern Jaffna peninsula, two months ago. The Tigers are likely to escalate attacks in Colombo and in the government-controlled Eastern Province now

Many are trapped. We have to put out the fires and save as many as possible.

that they do not have a homeland to protect.

The economic consequences for Sri Lanka will be catastrophic, both through direct losses and because of lost tourism and foreign investment. The city centre is a cluster of high-rise office buildings, hotels and banks, and was crowded when the bomb went off.

Witnesses said two accomplices of the lorry driver set off explosions immediately before the vehicle crashed into the building, about 150 yards from the presidential

palace. President Bandaranaike Kumaratunga rarely uses the palace because of its vulnerability. She lives in a fortified building about a mile away, and rarely ventures out because of security.

Rescue operations were hampered by fears that another bomb might be set off, a tactic often used by the Tigers to kill security forces. The city's main army base, which was attacked by the Tigers late last year, is a few hundred yards from the site of the explosion.

Security has been intense in the city for several months after the biggest military operation against the Tamil Tigers in their Jaffna redoubt. The rebels did not immediately admit responsibility for the explosion, but it is clear they were behind it.

It may be days before the number of dead becomes clear. The injured were taken away in convoys of buses to nearby hospitals.

The business district was enveloped in black smoke as firefighters struggled to bring several flames under control. Flames raged in half a dozen buildings, preventing police and rescuers from getting through. The windows of the newly built 39-storey World Trade Centre, a symbol of Sri Lanka's economic aspirations, were smashed.

The building's twin towers, dominating the skyline, were still receiving finishing touches from builders. At least a dozen high-rise structures were damaged. The Indian Overseas Bank, opposite the Central Bank, was among those badly damaged.

Witnesses said some of the rebels inside the lorry threw a grenade and opened fire at security guards at the Central Bank before ramming the vehicle into the building. Workers poured out of the office blocks after the blast, many in bloodstained clothes.

"Many people are still trapped," police said last night. "We have to put out the fires and then try to save as many as possible."

This is the fourth big attack on Colombo since last August, demonstrating the Tigers' ability to strike almost at will. The Government ordered intense security at Colombo airport, which was sealed off to most vehicles, after reports that the Tigers may be planning an attack there. Passengers are required to go through security before being bussed to the terminal.



A wounded victim of the Colombo bomb is helped to safety by a soldier yesterday

Victory in Jaffna proves hollow as war is widened

BY CHRISTOPHER THOMAS

THE Sri Lankan Government's strategy of bringing peace through war was wrecked by yesterday's bomb. The Tamil Tigers have demonstrated that they cannot be defeated militarily or humbled politically.

President Bandaranaike Kumaratunga's country is in worse condition than before she launched a remarkable peace initiative last August, when she announced her readiness to abandon central power and turn the nation into a union of largely independent regions. That would have allowed Tamils to live in the north and east of the island with constitutionally guaranteed autonomy, although the precise arrangements were fuzzy.

The plan has stalled in parliament because of Sinhalese opposition. It has been much modified in the hope of garnering the necessary two-thirds majority, but will have to be maulled to the point of becoming meaningless before it stands a chance of parliamentary passage. Tamils see that as another betrayal.

The Government's political initiative was combined with an unprecedented military offensive against the Tigers, culminating two months ago in the capture of Jaffna City, capital of the Tamil Tigers' de facto homeland and traditional heart of Tamil culture. It has turned into a disastrous victory. The loss of Jaffna humiliated not just the Tigers but also the entire Tamil population of Sri Lanka, driving a wider wedge between the communities.

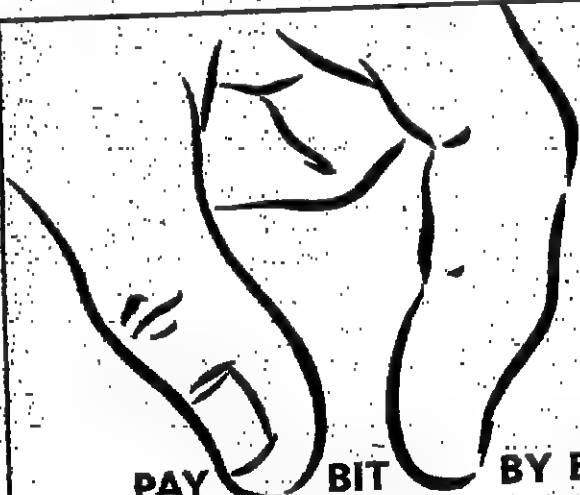
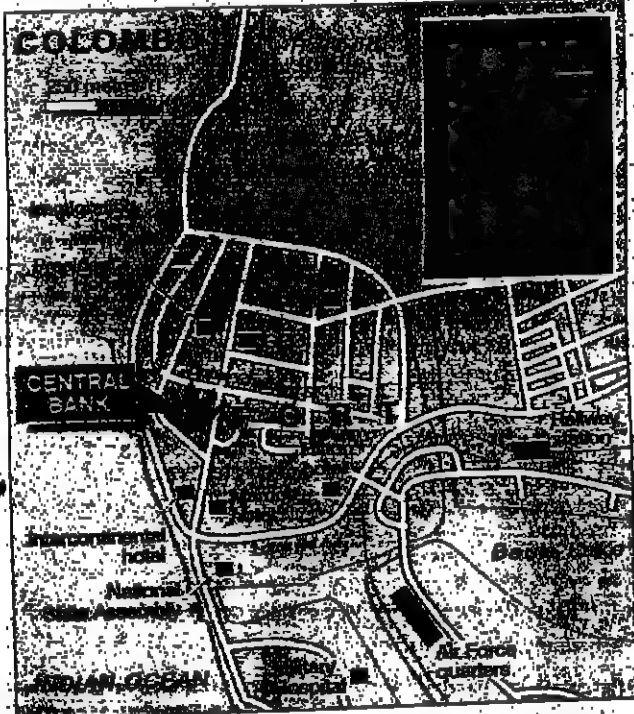
The net result of Mrs

Kumaratunga's failed policy is clear. The epicentre of the war has moved from the remote and economically unimportant Jaffna peninsula to the capital and the Eastern Province, where there are many Tamils who can shield the displaced Tiger soldiers. The Sinhalese-Tamil ethnic divide has widened because of the displacement of 350,000 Jaffna Tamils, who are jammed into refugee camps or forced to live with friends and families.

They are jobless, homeless, poor and angry. They blame their plight on a Sinhalese President who offered hope, then wrecked their lives. The capture of Jaffna City has been so calamitous that the Government refuses to allow reporters for the international press to go there. That is because the cameras would reveal what the Government controls: empty streets and houses, schools without teachers or children, hospitals without patients, fields without farmers.

The Government banked on the Tamils returning home, but it was a miscalculation and Jaffna remains a ghost town. The Tigers intimidated the population into leaving and not going back.

Tamil political parties that are co-operating with Mrs Kumaratunga's strategy have not just been marginalised by their association with a failed policy, they are now all but irrelevant. Only the Tamil Tigers can speak for the Tamil community, which remains substantially under the rebels' control in spite of the loss of Jaffna.



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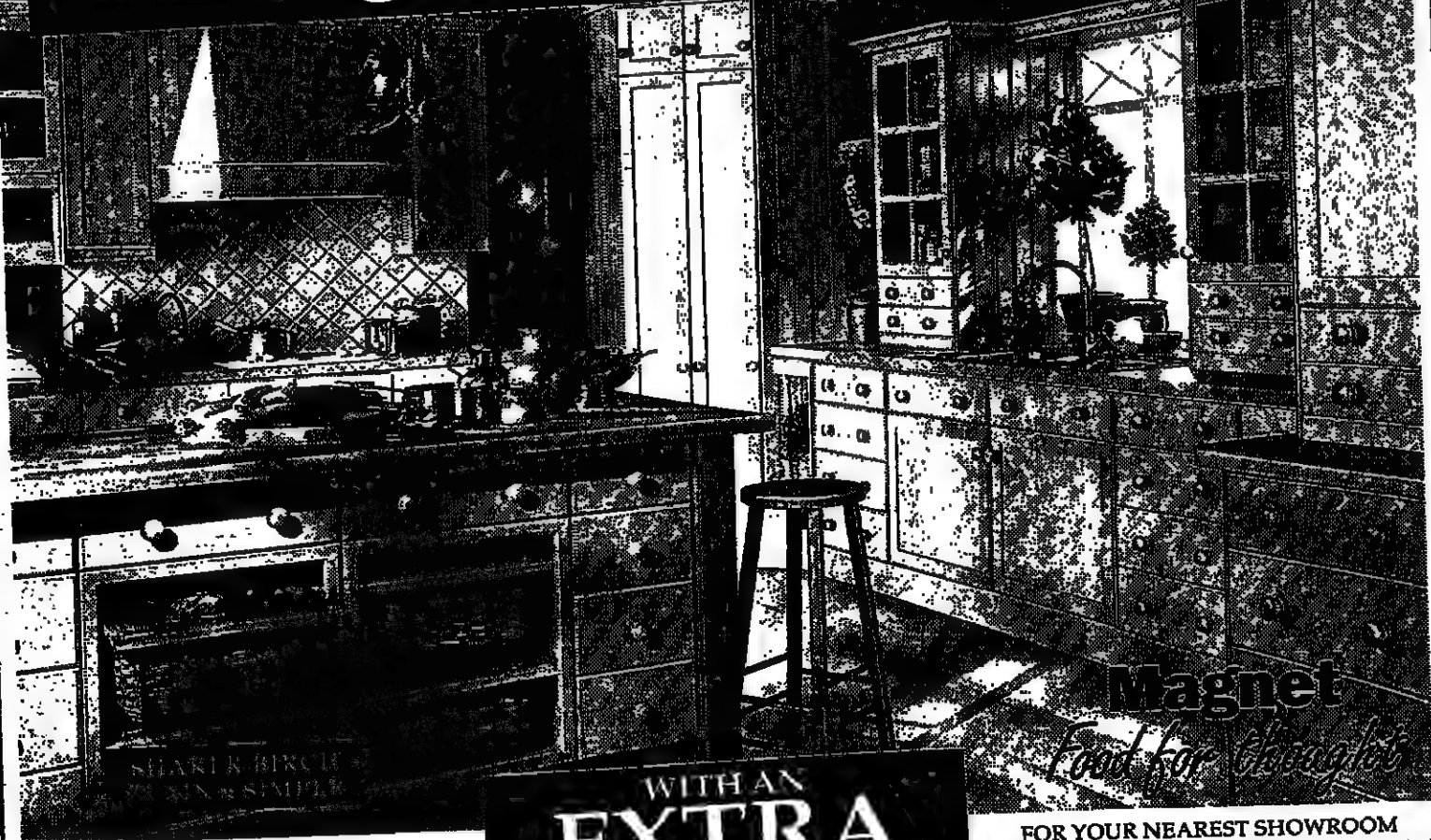
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They might have been dismissed as a fluke were it not for the earlier Finnish study, which also showed an 18 per cent increase in lung cancer among smokers taking beta carotene. "Since the two studies together support the conclusion of no benefit, and suggest that there may be harm, we decided that it is prudent to stop the research," Professor Gilbert Omernik of the University of Washington

Is this the face of an innocent girl or a terrorist?

Lori Berenson has been found guilty of treason in Peru. Now her despairing parents reveal why they believe justice was not done

IT WAS supper time on December 1, 1995 in the New York apartment of college lecturers Mark and Rhoda Berenson when the telephone rang. Mrs Berenson was alone because her husband was in Boston at a conference. She expected it to be him, she lifted the receiver. From the end of the line, however, came a woman's voice: "Mrs Berenson? This is the State Department in Washington. I'm afraid we have some bad news about your daughter, Lori."

The US State Department official relayed that Lori, aged 26, had been arrested in Peru on suspicion of aiding a terrorist plot to blow up the parliamentary building in Lima. She had been charged with treason.

So began, for Rhoda and Mark Berenson, an ordeal which has tested their spiritual and financial resources, has taken them on a fruitless trip to find their daughter in a prison in the Andes, and has all but exhausted their belief in South American justice.

On January 11, Lori was found guilty and was handed a life sentence by a military judge. As her father, hit by a despair that most parents will only know in their worst nightmares, said this week: "It is a living bereavement."

Lori, an energetic, idealistic young woman, finished her two years' studies at Massachusetts Institute of Technology to explore Central and South America. She had a stint in Nicaragua, then El Salvador, where she was briefly married. Mark and Rhoda had brought up Lori and her older sister Kathy to be independent, and though the short-lived marriage seemed a waste, Lori survived.

She wrote wonderful letters home. They bubbled with recipes, descriptions of her needlework and ethnic music. In time she headed for Peru, hoping to write for a New York magazine. With its letter of accreditation she was allowed in to the parliament buildings. The letters home continued. They read like the typical jottings of a liberal, brainy youngster who has sat through the sort of anthropology classes which introduce American college students to an earnest socio-babble.

In Lima, however, Lori fell into bad company. She was introduced to a group which included leading members of the Tupac Amaru Revolutionary Movement. Lori may not have known that they were Marxist hotbeds, but the Peruvian secret police did, and when they discovered alleged plans for an attack on the Government, they swooped. Lori, whose handwriting was allegedly found on scraps of paper, was arrested by plainclothes policemen on a crowded bus. At first she thought it was a kidnapping attempt, and resisted.

As a bruised Lori was pushed into a waiting police van, Mark and Rhoda Berenson were dining at the National Arts Club in Manhattan. It pains Mark to think back to that night, and he has not returned to the club since.

Friends say that Rhoda has been the strong one, keeping to her physics teaching commitments and bolstering Mark and Kathy. "I'm a controlled person," she says, sitting in the drawing room of the flat which has been home for more than 20 years. Against one wall is the piano that Lori played when she was small. As Rhoda speaks, her eyes occasionally mist over and she forgets the things one does when a stranger arrives — turn on the lights, boil the kettle.

Mrs Berenson certainly

showed control the night of the State Department's call. Knowing that Mark, in Boston, would stay up all night with worry if she broke the news, she did not tell him until the next morning. "I had a few more hours of freedom," he said, "but then the nightmare began." As soon as he heard what had happened, Mark flew down to New York, then to Lima, where he was allowed to visit Lori in her police cell. When he returned to resume charge of his statistics class at New York's Baruch College, Rhoda replaced him in Lima for ten days. The Berensons have been together for more than 30 years (since Mark was 16 and Rhoda was 15). This was the longest they have been apart since they married.

The end of that trip was a low point. Rhoda telephoned Mark in New York with the latest news about Lori. "You mean she isn't coming back with you?" Mark asked.

Upstairs, Lori's childhood toys lie forlornly in a box in her old bedroom, which Mark has turned into an office. Pictures of her adorn a shelf in the drawing room. In one of them, Lori, aged four or five, is wearing the military boots and cap which Mark used during his spell of National Service. "Better not photograph that one," he says, suddenly wary that the snapshot might be seized on by Peruvian media as an indication of an early bellicose bent in Lori.

The Peruvian people have not warmed to her plight. To understand, we should perhaps imagine that an American has been arrested for alleged links with an Irish terrorist group. The stakes were raised when President Fujimori went on Peruvian television to announce that the police, in their search for the culprits of the plot, had caught a "North Americana". "Once the president did that, her fate was probably sealed," Rhoda says.

The Berensons accept that Lori was in bad company, and Mark concedes that there may be a case to answer, but their complaint is with the way it has been conducted. The military court which found Lori guilty had no jury, and the judge, in a possibly blatant act of politicking, passed a sentence heavier than the prosecution had called for. By most standards of justice, it was an unsatisfactory piece of work.

Since the sentencing, Lori has been moved to Yanamayo prison in Puno, high in the mountains near Lake Titicaca. Conditions are harsh. Newcomers must first cope with altitude sickness, then the cold. There is no heating, no hot water — and no glass in some of the windows. Inmates stuff the windows with bedding. With no cooking facilities available, any food brought by outsiders must be eaten raw. Tins are out of the question — no can openers or knives are permitted — and when the Berensons arrived at the prison last week with provisions, several were turned away. The metal toothpaste tube was undone, the paste scraped into a plastic bag, and the empty container handed back to Rhoda.

Red, green or black clothes are not allowed at Yanamayo, for they are considered rebel colours. When Lori arrived she was dressed in thin summer clothes. Her parents took her warmer (beige) clothes, a blanket, and are now sending a sleeping bag. But they were not allowed to see her. The commandant declared that he was a human being first, a soldier second, and owing to "regulations", and on account of a lack of written permission from the Ministry of Justice in Lima, he was unable to let the Berensons inspect their daughter. Instead, they had to



Lori Berenson photographed last month under arrest at Lima's anti-terrorism unit



Lori's mother, Rhoda Berenson, and (right) Lori dancing with her father, Mark

communicate with Lori via handwritten notes which the commandant asked an interpreter to translate. In the early hours when Mrs Berenson has not been sleeping, she has found herself thinking back to Lori's youth, trying to identify character-forming moments when she became a sympathiser of the downtrodden. There had been an incident in the school playground when eight-year-old Lori took the side of an unpopular girl. She came home indignant at the unfair-

ness of it all. Was this the incident which led to her championing of native Peruvian rights, and trying to summon doctors for her fellow prisoners (thus incurring the further wrath of the prison guards)?

Lori was an independent girl. Aged 12 she announced that she was moving to Long Island for the summer to work as a live-in babysitter. She learnt to cook plum pie, looked after her ward, and grew up fast. There seems to have been little time for the selfish hedonism of youth. "She was always busy, with not enough time to sit around," Rhoda says. At school she read a lot — Gabriel Garcia Marquez and Isabel Allende — and books about Inca culture and South American traditions. There have been telephone calls, natters shouting abuse, but also supportive strangers, such as a woman from Ohio

who said she was unable to sleep at night such was her worry about Lori. Others have sent money, which the Berensons have returned. The Internet has brought them a large e-mail bag, and human rights organisations telephone to offer their help. "Congressman Joe Kennedy called yesterday," Rhoda says.

Little things set off tears. Before she was arrested, Lori made a tape of Peruvian love songs for her father's birthday. It is now in the hands of the police. Mark asked to be allowed to make a copy, but the officials refused. Before going to bed each night, he now listens to an earlier tape Lori made. He rations himself to one song a night. "It's all I may have for the rest of my life," he says.

Rhoda, who disclosed that her husband has moments of "unrelenting sadness", described how in the first few days she would wake and think, "Maybe all this will go away if I stay under the covers and refuse to come out — but then you realise that by doing things, by speaking to people, you are helping." When, having trekked all the way up into the Andes, they were refused permission to see Lori, they had reached such a state of numbness that they simply shrugged. There were no tears left.

"It is a Kafkaesque system. Clemency does not seem to be part of the vocabulary, although repentance is," Rhoda says. Both have lost weight, and Mark is still not able to enjoy food. "I just imagine that I am eating for Lori," he says. The legal prognosis is not entirely gloomy. The Beren-

Ooh aah Cantona the film star

Forget Arnold Schwarzenegger or Gerard Depardieu. France's latest movie heart-throb is the enfant terrible of football, as Ben Macintyre discovers



Eric Cantona (second left) plays a young peasant in *Le Bonheur est dans le pré*

Some Frenchmen dream of becoming film stars, while for others there could be no higher aspiration than performing a kung-fu kick on an English football fan before a live television audience. In the space of one year Eric Cantona has achieved both, confirming his status as France's least likely cultural icon.

More than half a million French people have paid to see the enfant terrible of soccer in *Le Bonheur est dans le pré* (Happiness is in the meadow), a film directed by Etienne Chatiliez, which was released last month to huge critical acclaim.

A gentle and witty evocation of French rural life, *Le Bonheur* shot to number three at the French box office, just below the latest James Bond film *Goldeneye*, and has now been nominated for six awards by the French film industry.

The film owes at least some of its success to the 29-year-old Cantona, who plays a muscular young peasant courting a provincial farm girl. His role is largely restricted to sitting at a kitchen table, wearing a vest, looking manly and passing the odd remark in his impenetrable Marseilles accent.

This is not Oscar material, but its effect on French cinema audiences is electric. When I watched the film in Bordeaux, the audience did not chant "Ooh aah Cantona" as they are wont to do at Old Trafford, but that was plainly what they were thinking when a ripple of applause ran round the cinema as he filled the screen.

Long before he launched himself feet-first at Crystal

Palace supporter Matthew Simmons a year ago — earning himself an eight-month suspension and the time to take up acting — Cantona had carved out a reputation as a man of many and unexpected parts.

A devotee of the poet Rimbaud, Cantona's behaviour on the field has more often resembled that of Rambo. A poet, amateur philosopher, violinist, abstract painter and artist of the floating ball, the combi-

French opinion is obsessed with, and sharply divided over, the country's most controversial export.

Indeed, the plot of Cantona's personal odyssey is mirrored by that of *Le Bonheur est dans le pré*. The film tells the story of a stressed and manic city businessman who finds bliss when he takes on the identity of another man (along with his wife, his two daughters and his *foie gras* farm) deep in the French countryside.

Cantona's allure lies in his talent for the unanticipated, leaving the impression that he has very little notion of what he might do next. Anything seems possible, from a career in French politics to performance art to grievous bodily harm.

As Rimbaud once wrote: "He has, perhaps, the secret for changing life."

hardly in the premier league, despite a bestselling collection of his musings that includes such profundities as: "Without spontaneity you can't succeed" and "I say to myself that I'm only passing through".

Cantona is a regular target on *Les Guignols*, the French equivalent of *Spitting Image*, where he appears dressed as Picasso and spouting pseudo-philosophical claptrap. He was brought up in a house converted from a cave carved out of the hillside at Caillols near Marseilles — and there are those who consider him to be a Neanderthal who has managed to memorise some lines by Rilke.

But the story of Cantona's fall from grace last year, when he became the first soccer professional to attack a spectator in modern times, and his restoration is an odd mixture of melodrama and farce peculiarly appealing to French tastes.

Indecently, the plot of Cantona's personal odyssey is mirrored by that of *Le Bonheur est dans le pré*. The film tells the story of a stressed and manic city businessman who finds bliss when he takes on the identity of another man (along with his wife, his two daughters and his *foie gras* farm) deep in the French countryside.

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As Rimbaud once wrote: "He has, perhaps, the secret for changing life."

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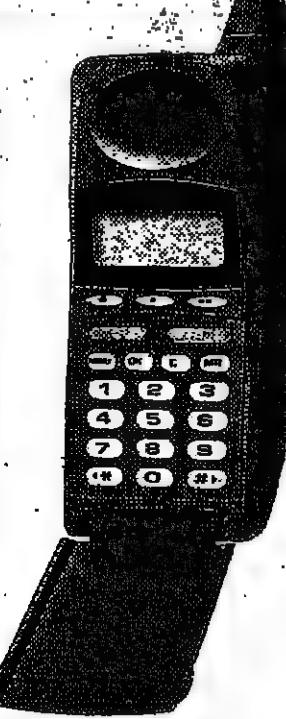
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هكلمن النفل

The open society and its enemy

Bernard Connolly explains why the Commission sacked him

Five months ago, *The Times* serialised extracts from my book *The Roten Heart of Europe*, which showed how Europe was being made into the low-growth, high-unemployment centre of the world. The economy of every member state has been ravaged by the imposition of a false economic theory in pursuit of a political end. The malevolent mechanism was first the ERM; now, it is supplemented by Maastricht planning blight. The result can only be a worsening of economic performance, a decline in political legitimacy and a serious risk of a fracturing of the European Union.

The day the first extract from my book appeared, my then employer, the European Commission, made it clear that it saw no place in the institution for someone who felt the fears I had expressed. And it allowed a smear campaign against my character. Today, a decision has been implemented to sack me from my job as head of the unit monitoring the European monetary system.

In the interim, the Commission has subjected me to treatment that it has in the past reserved — as far as anyone knew — only for officials suspected of serious criminal offences. Had I perhaps been guilty not only of the "eccentricity" (and worse) of which I was accused, but also of a political "crime"?

My offence, it seems, was to get things right, as the events of the past few months have amply shown. Getting it right, particularly in advance of developments, requires analysis. Yet as I wrote, open-eyed, in the last sentence of my book, analysis is regarded in a closed society as dissent, and dissent cannot be tolerated. The Commission, in its formal statement of the reasons for sacking me, stresses that I had previously been refused permission to publish theoretical articles. The problem with these, apparently, was that like my book, they made economic points that might have raised questions about the adequacy of the Commission's analysis.

For some years, the so-called single currency project in Europe has been in a state of what George Soros, a passionate defender of open societies, has called a static disequilibrium. As Soros argued, static disequilibrium is possible only in a closed society, one in which the gap between perception and reality is masked by the imposition of an official myth. When the myth begins to be questioned, the closed society begins to break down and static disequilibrium becomes transformed, as in Eastern Europe in 1989, into dynamic disequilibrium; then rapid change becomes possible. In most respects, the countries of Western Europe are open societies, but where the single currency is concerned, the gulf between official perception and reality, and between popular wishes and political will, is huge.

The past few weeks have

seen an explosion of comment in practically every EU country, from politicians, bankers, academics and industrialists, on the impracticality and dangers of the Maastricht process. Are we now seeing in Western Europe the beginnings of an awakening on monetary issues to match the earlier political awakening to the East?

Unfortunately, my sacking gives no encouragement to those who hope for greater openness and realism on European monetary issues. The Commission's regulations enjoin officials to defend the EU's interests. But how can those interests be defended except by seeking to narrow the gap between perception and reality? The perception of the single currency, recently reiterated by Jacques Santer, is that it is an economic instrument, the purpose of which is to improve employment prospects. But for Jacques Delors, as he has recently reaffirmed, the single currency is instead a means of bringing about political union.

The reality is that using an economic instrument to pursue a political aim divides the employed from the unemployed, the rich from the poor, whether as individuals or as nations. It puts the underlying objectives of the EU at risk, and threatens its very survival as a meaningful entity.

The dangers are most obvious on the economic side — but there are political risks too. The economy, like political society, is an organism, not a machine, and perception and reality can react in potentially destabilising ways. The continental perception of political helplessness in the face of rising unemployment and crumbling welfare systems may, if nothing happens to change it, lead not only to self-feeding economic gloom but also to political despair. That is what Martine Aubry, daughter of Jacques Delors, means in France when she says that the single currency is not worth the destruction of a country. And those are the dangers that prompted the leader of the German Social Democrats, Oskar Lafontaine, to warn that if unemployment worsens inexorably then the conditions for a revival of Fascism could be created.

It is crucially important, that the glimmerings of political realism on the Continent, as yet seen only on the fringes of power in the key countries, penetrate to the core. If they do not, then not only the "hard core" but the whole of Western Europe will find it hard not to sink further into an economic mire and a period of political resentment within and between countries. That is what I warned five months ago. Today, the warning must be even more urgent. Time is now short for Europe — not to create the single currency (which would divide Europe rather than unite it) but to restore economic dynamism and preserve political harmony by elevating economic reasoning above political will.

Doubters clearly are not to be welcomed in Europe



"One pint and three straws, please..."

Be a hare, not a hippo

Hanson's unbundling is welcome at a time when the City of London is becoming isolated and distrusted

I was present at the birth of the word "unbundling". In 1989, Sir James Goldsmith, Kerry Packer and Lord Rothschild made a bid for BAT. It was then the largest bid ever made for a British company, and may still be so. I was a non-executive director of the Rothschild board and was asked to write a note outlining my view of the bid strategy. I concentrated on the theme of releasing value by breaking up a conglomerate into its constituent parts: I used the clumsy word "disaggregation". Sir James changed that to the more domestic word "unbundling", which has been used ever since. The bid failed, mainly because of regulatory insurance problems in California, but partly also because BAT did some unbundling of its own.

Although the bid failed, I still think it was far-sighted. Even in the late 1980s, when conglomerates were much more fashionable, this bid foresaw that they reduced value, for two reasons. The first is that top management is bound to lack specialist knowledge of the individual businesses, even if it is a strong management in more general terms. The second is that investors prefer well-defined investments, so that they can choose the industrial sectors in which to place their funds. The more professional fund management becomes, the greater the weight of this requirement.

Last month saw two City decisions which point in opposite directions. Fund managers decided to accept the Granada bid for Forti, which, whatever else it did, undoubtedly raised the degree to which Granada is a conglomerate. And Lord Hanson, himself the most successful builder of a large British conglomerate since the war, decided to unbundle Hanson into four separate operating groups.

The Hanson share price in recent years shows what the market view of conglomerates really is. Since the beginning of 1990, the price of Hanson has underperformed the market by more than a third; since the beginning of 1995, it has underperformed by about a quarter. The market recognises that Hanson is extremely good at controlling costs, but did not see a good growth prospect. Another big bid might have given Hanson a final once-for-all lift, but no such big opportunity appeared. The strategy of split-

ting up the conglomerate should therefore be welcomed, despite the initially cool market reaction. Granada has swallowed the opposite policy: it is still in the bundling stage. So far, the Granada share price has held up well, but these are very early days.

The normal pattern for conglomerates shows a reasonable share performance during the acquisition period, followed by underperformance relative to the market once the initial benefits have been absorbed. Surveys show that at least 50 per cent of hostile bids prove to be disappointing for the shareholders of the acquiring company.

The Forti bid has reduced the television proportion of Granada's profits. Indeed one of the fascinating questions is why Gerry Robinson decided to shift the emphasis of his company away from television and towards catering. In the City, television earnings are considered to be of better quality than catering. Granada is partly a media and partly a leisure company, but the market currently values media earnings at a third more than earnings from leisure and hotels. Gerry Robinson decided to lower the average quality of Granada's earnings, as the City sees them.

That decision looks all the stranger when Granada was actually thinking of bidding for Pearson, a very high-quality media company indeed, which owns the *Financial Times* as well as other publishing and television assets. One press report suggests that Granada was prepared to offer 900p a share for Pearson, as against a recent price of around 650p. Such a bid would not have unbundled Granada itself, but, if successful, would have created a very powerful media company, a far better business than is likely to emerge from the Forti bid. One can only assume that

Granada decided that Forti, though a much less attractive target, would be easier to win. It was a decision to go for second best.

The big fund managers, and particularly Mercury Asset Management, which decided the Forti outcome, also have difficult strategic problems to settle. In 1979, Slegmund Warburg thought so little of Mercury Asset Management that he told Peter Stormonth Dartling, "Now, Peter, you are the chairman of this business. Your first job is to get rid of it." It is now the largest fund management company in London, with more than £70 billion under management. Relative to its domestic economies, that is considerably larger than Fidelity which, with more than \$400 billion, is the largest fund manager in the United States.

Fidelity knows the problem of size, of being too large for comfort. Its top management has just imposed new, more restrictive and conservative guidelines upon its fund managers, who, as at Mercury Asset Management, have enjoyed considerable freedom. The problems of size include the control of fund managers, the inability to outperform a market in which one is too large a part of the market, and the shortage of liquidity when one's average investment becomes too large. Small fund managers have the mobility of small size; the hare is nimbler than the hippopotamus. The small top management can be in daily personal contact with all the individual managers, the holdings are small enough to be realised quickly without unduly moving the market, investments can usefully be made in small and medium companies. Even when a very large fund manager does take a profit, as with Forti, that has little effect on overall performance, though it may be significant for individual managers' bonuses.

The smaller the fund, the easier it is

to operate. Regulatory costs make the overheads of small funds in London too high, but even so the optimum size for potential performance is quite low. The big funds subdivide investment decision-making, but that has its problems too. The market will look at the total stake of a fund management company, not at the individual managers' holding of particular shares.

There is a further difficulty. A large number of pension funds belong to companies which are themselves potential bid targets, now or in the future. Whatever the City thinks, the boards of these companies regard aggressive bids as acts of war. A very large fund manager, which builds up large stakes in potential bid targets, can therefore be seen, not unreasonably, as attacking its own actual or potential customers. If one's customers regard one as an enemy, that is a commercial handicap.

As a whole, the City underestimates the extent to which it is regarded as the enemy rather than the ally of British business. During the boom of the 1980s, some banks were quite reckless in financing hostile bids for their own customers. During the recession of the early 1990s, some banks withdrew loans quite ruthlessly from businesses that might otherwise have survived. City fees are seen as extortionate, and inordinate bonuses are believed to be an incentive to irresponsible speculation. Large bonuses must indeed have played their part in the collapse of Barings. Now many ordinary directors of non-financial companies see the Granada Forti bid as the sign of a return to the speculative excesses of the 1980s.

There has been some response. The clearing banks are genuinely concerned to avoid the mistakes of the last boom and bust in business loans. Fidelity has reined in its fund managers, and I suspect Mercury Asset Management will have to do the same. The Forti bid demonstrated that big stakes can put even very large companies into play, and these big stakes will have to be reviewed. Lord Hanson has shown that good conglomerates can unbundle themselves. I hope that official policy will move towards encouraging individual rather than institutional saving. Yet despite a few good signs, the City is on the edge of distrust and isolation it cannot afford.

William Rees-Mogg

More receptive

THE PICKLE in which the Royal Family currently finds itself concerning mobile phones is not confined to Sandringham and the Duke of Edinburgh's call to a "horsey" woman. There are difficulties, too, at Balmoral.

The problem is poor reception. Her Majesty and the Duke of Edinburgh aren't getting the cellular transmission to which they are accustomed. Matters came to a head recently when the Balmoral estate office reported the problem to Vodafone. "We were approached," confirms the company. "We have been in contact with the Balmoral estate office."

A Vodafone van whisked up to Balmoral quicker than a royal corgi after choicy-drops and there were hopes in court circles that the problem would be solved by a transmission mast being built on the estate. Her Majesty was all for the new mast, but Vodafone's enthusiasm has cooled. "We have investigated, but have no plans to build a new mast at the moment," said a cellular person. "There would not be enough call traffic."

● Sir Christopher Bland received so many congratulatory letters on his appointment as Chairman of

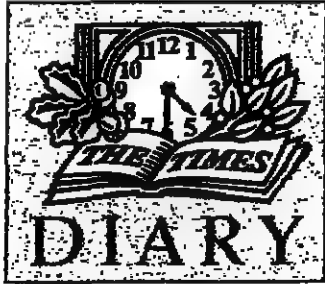
the BBC that he replied to all and sundry with a round-robin. "I am looking forward to it with great enthusiasm," he wrote back, "tempered with the caution appropriate to my start date of April 1st. I believe the BBC is, though not yet perfect, the best broadcasting organisation in the world — so I'm very fortunate."

Unhappy hunt

MALCOLM RIFKIND is the latest victim of the inventive protesters campaigning against the Skye Bridge tolls. The canny bunch disrupted the Foreign Secretary's shooting plans at the weekend.

His mistake was to join the party of Sir Iain Noble, chairman of the Skye Bridge Company, near his home at Isle Ormsay. Getting wind of the outing, protesters set up a barrier on a humpback bridge en route to the shoot. Rifkind's party, approaching in cars, slowed and stopped. After a frantic conference, the guns reversed down a side road and sped off in search of a new hunting ground.

● Peter Davis, the National Lottery regulator who enjoyed free



flights from Camelot's partner GTEch, might care to take advantage of a promotion dreamt up by the agency Leagas, Shafren, Davis of which his brother Mike is managing director. The advertisement in a national newspaper invite readers to "Fly now pay later".

River paradise

AFTER MORE than two-and-a-half years, one of the most spectacular victims of the housing slump, the late Sir David Lean's palatial riverside house on Sun Wharf in London's East End, has finally been sold.

The film director had the wharf completely rebuilt in 1965, with a private cinema and an Italianate landscaped garden leading down to a mooring. The estate agent, Savills, dropped the price by more than £500,000 to £25 million last

year. They showed Sir Clive Sinclair and Sting around, and there were rumours that Cher, who rents an abode in its Wapping neighbourhood, was interested. The purchaser, however, is an American who runs a contact lens company. Could it be a speculative purchase?

● Conservatives take their annual winter ball very seriously, and never more so than this year, for the ball next week is in aid of "Conservative Party Marginal Seats" — of which there are a good few. Political events, however, have overtaken party-planning. Listed as a key committee member of the ball is defector Emma Nicholson. "I haven't yet resigned from it," she says breezily, "but I won't be attending."

Rebooting

JOHN REDWOOD seems to be attracting a villainous sort. Following a break-in at the Conservative Association office in his Wokingham constituency at Christmas, when fine wines and raffle prizes were stolen, his London offices in Wilfrid Street were also pillaged on Monday night.

The thief was not an art-lover. The walls of the offices are hung with modern paintings, lent by a West End gallery, but they were untouched. The intruder chose in-



Ab Fab: the Olympic Committee doesn't run to authentic Fabergé

stead a computer, which stored the articles the former Welsh Secretary has written for various newspapers. The Bastard!

Curate's egg

THE FABERGE company has discovered a rotten egg in its nest. The jewellers, who made the Imperial Easter eggs for the Tsar at the turn of the century, is worried that 500 commemorative silver or crystal eggs offered by the Atlanta Olympic Committee may tarnish its image.

Their creator, Theo Fabergé, is grandson of the late Carl, and the

eggs will carry the Fabergé name. The sale of the Olympic collection also happens to coincide with an American tour of Carl Fabergé's enamelled masterpieces. The curator, Geza von Hapsburg, describes Theo Fabergé as "riding on his grandfather's coat-tails", and says the 75-year-old craftsman is little more than a "wood turner". The Olympic committee, however, argues that it's a storm in an eggcup. Theo's pieces, it says, are much larger than those of his ancestor. And very much cheaper, at £3,000 each.

P.H.S.

Close-knit — but does it unravel?

Michael Gove on

two new tracts

for the times

THE background between Tory and Labour may now look so arid that no new ideas can take root, yet this week has seen the publication of two pamphlets by adversaries who were once allies, which show that original thinkers have not deserted politics.

Roger Scruton and John Gray were once the Jacob and Esau of the Right. In the 1980s, Gray, a hirsute Geordie, articulated from Oxford the case for Thatcher as innovator and liberator. Scruton, a polished salon Conservative and country cousin of Cambridge's Right, appropriated Thatcher for Tory traditionalism. In the 1990s, they present rival, rather than complementary views of the condition of Britain.

In *After Social Democracy* (Demos, £5.95), Gray, the repentant neo-liberal who is now happier with new Labour, provides intellectual props for Blairite insights. Scruton, in *The Conservative Idea of Community* (Conservative 2000 Foundation, £5), tries to refresh a Tory party adjusting to a new emphasis on social issues by reconnecting it with its roots. Both attempt to deal with the challenge posed to received wisdom on Left and Right from communitarianism — the modish American creed which stresses abandoned responsibilities rather than asserted rights.

Gray is altogether more impressed by communitarianism than Scruton. Blair uses "community" in his speeches with the enthusiasm of a Keith Floyd adding wine to a casserole, providing a sophisticated flavour and dispelling the lack of beef. Gray provides an interpretation of communitarianism which he hopes could frame a Blair government's approach to policy questions as yet unresolved. Unfortunately for Labour, he proves a far better critic than prophet.

There can be no turning back to the old-style post-war social democratic consensus. Gray points out the policy of demand management, full employment and union privileges that sustained it have been rendered redundant by the competitive power of cheap labour in states emerging from communism and by the fickleness of international capital. He then turns his powerful critical tools to undermining other models fashionable in the Left. One Nation rhetoric — now, shockingly appropriated by Blair — is, as depicted by Gray, also hopelessly nostalgic. He believes the stable institutions, notions of deference and *noblesse oblige* which might have sustained it were blown away by the market-driven mercurialism of Thatcherism. He is equally dismissive of attempts to transplant foreign models here, in particular the "Rhine model" of consensual capitalism, favoured by evangelists for stakeholding such as Will Hutton.

Gray also warns against imitating the capitalism of the Tiger economies in the East, built on traditions and compromises alien to British society. He then feels compelled to offer his own utopia, which he calls "liberal communitarianism". The great charm of this phrase is its meaningless. It tantalisingly suggests a philosophy that combines the freedoms of liberalism with the security of community, but Gray's confidence seems to desert him as he spells out what it means. It amounts to a faith in the common life, as against possessive individualism, and a relativism which retreats from proclaiming universal values. Gray suggests it is up to different communities to abide by their own "norms of fairness".

But Gray's faith in the common life does not lead him to endorse attempts to make divorce more difficult for the thousands inclined to see marriage as a convenience, not a commitment. The size of the communities which Gray believes should settle his norms of fairness is not made clear, and the difficulties when these norms collide is dodged. Gray accepts that his support for educational selection might not be automatically endorsed by every community, but he does not seem to anticipate the ugly consequences for liberals of communities such as the Isle of Dogs being left to set their own housing policies, or West Belfast assuming responsibility for its own policing.

The weakness in Gray's thinking is his shunning of the absolute values which are Scruton's strength. His pamphlet is shorter than Gray's and more positive. Drawing strength from past thinkers such as Burke and Oakeshott, he concedes some ground to the communitarians, accepting that social matters are now of greater concern to voters than the economic issues of the 1980s. However, he exposes the poverty of insight among communitarians who want social cohesion, but whose liberalism on religion and sexual choice, and whose relativism in education and culture gnaw at the ties that bind. Scruton attempts to excavate shared British values around which our society might rally. They may not convince all, but his most telling point, the impossibility of preserving the social order without absolute values and authority, resonates with force. It is an uncomfortable message, but the price of social cohesion is sacrifice.

Michael Gove is the author of a biography of Michael Portillo.



POLITICS OF PAY

MPs should concentrate on their job and earn more

British parliamentarians are underpaid and many are overworked. That proposition may be unfashionable, but it is true. The populist vision of MPs combining a two-day week with acres of holidays, and lining their pockets for the rest of the year, is both inaccurate and out-of-date. MPs are by no means poor — but they deserve a better rate for the job.

Various arguments have been put to counter the demand, signed by around 300 MPs this week, for a substantial rise in their pay. Yesterday the poverty lobby questioned how parliamentarians could ask for more when so many of their constituents earned as little as £2.50 an hour. The charge is that MPs will not be able to understand the "real world" if they are "cocooned" from it by higher salaries. Should doctors therefore earn the same as the worst-paid of their patients, in order to be able to empathise with their problems? No, professionals are paid for their expertise, and an MP has a tougher, if less back-breaking, job than a cleaner.

Then there is the argument that MPs' pay should be determined by supply and demand: and since there is no shortage of applicants, there is no need to raise the rate. But is the demand from the right people? Is there a shortage about the calibre of MPs, and the dearth of high-flyers willing to sacrifice the rewards of a career in law, banking or journalism for the much lower pay of the House?

Moreover, the meagre parliamentary salary deters former ministers from staying on in the Commons after they have left Government. All administrations need the ballast of wisdom and experience that these people provide, particularly now that so many MPs are either on the payroll vote or aspiring to join it. True independence comes only from those who have nothing left to lose. Yet who will replace the likes of John

Biffen, Douglas Hurd and Peter Shore after the next election?

Nor are MPs underworked. An official survey as long ago as 1983 found that they put in, on average, a 62-hour week. Since then, the burden of constituency work has increased, and few parliamentarians find themselves free at weekends. In an ideal democracy, maybe we would have the citizen legislator: the Cincinnatus who spent perhaps a decade in selfless public service and then returned to the plough. But our democracy is far from ideal, and government is too large and complex to be run by amateurs. What Britain needs is a corps of politicians who devote themselves to the job and are not distracted by the need to top up their earnings elsewhere.

Since the Nolan committee rightly recommended an end to paid advocacy, and MPs voted reluctantly to adopt its recommendations, there are now fewer opportunities for outside gain. The quid pro quo for parliamentarians concentrating on their main job should be a higher salary, comparable to professionals in other fields. This should turn a vicious spiral into a virtuous one: instead of low esteem and poor pay for MPs leading to a lower grade of aspirant politicians, we would see higher pay followed by better MPs and greater public respect.

If the Nolan committee were asked to examine this issue, the House of Commons could undertake to abide by whatever recommendations it made, and legislate for the new salaries to come into force after the next election. Then MPs would be setting a rate as much for their successors as for themselves. What is needed now is a request from the party leaders, led by the Prime Minister, to widen Nolan's remit to include MPs' pay. Labour has agreed to support such a move. The initiative now lies with John Major.

PERES AND POLLS

Israel looks set for early elections

On board his flight to London yesterday, Shimon Peres, the Israeli Prime Minister, revealed that he was "inclined" to bring forward the date of his country's general elections. Israelis are due to vote no later than the end of October this year: they may now do so as early as the third week in May.

Peres-watching is a complex science, and in London yesterday, Mr Peres did what he could to add shades of ambiguity. His "inclinations" will be subjected to the most intense scrutiny. The more astute will conclude that he has already made his mind up in favour of early polls, and that he is — due to character — testing the water before taking the electoral plunge.

What are the implications, for Mr Peres, of early elections? The Israeli Prime Minister must be convinced that he will reap a richer harvest of votes by going to the electorate well before October: after all, there is little pressure on him, other than that exerted by a hunger for success, to hold elections at a date earlier than required by the constitution. The opposition Likud party is still in bitter disarray. Many ordinary Israelis blame that party's leader, Benjamin Netanyahu, for creating the atmosphere of anti-persecution hysteria which led to the murder of Yitzhak Rabin in November last year.

Such blame can be ascribed only indirectly, and to do even that would be to subject the man to caricature. Mr Netanyahu may detest the Oslo accords and loathe Yasser Arafat, but his commitment to Israeli democracy cannot be questioned. Yet Mr Peres is as astute as he is idealistic. His own stock is high, while that of Mr Netanyahu could hardly be lower. An early election would be more likely to yield comfortable

success for the ruling Labour coalition than one in October: those precious extra months, which would put greater distance between the elections and the memory of Mr Rabin's murder, are just what Likud needs in its present ragged state. Mr Peres is determined to end that prospect of recovery.

It was argued by many, in the days after Mr Rabin's death, that Mr Peres should hold snap elections. We opposed that view then, believing that Israel would derive from its trauma a new momentum for peace. To have held elections immediately would have been to squander the benefits of that momentum — quite apart from allowing a murderous fanatic, Yigal Amir, to divert the course of Arab-Israeli peace. In the days that followed Mr Rabin's death, the Israeli withdrawal from the West Bank quickened and elections were held for the first time in Palestinian territories. The peace with Mr Arafat is now virtually irreversible. And it is almost certain that Mr Netanyahu could not tear up Israel's agreements with the Palestine Liberation Organisation — even if he might want to — on winning the elections himself.

The Syrian track has proved more difficult for Mr Peres. After last month's optimism, fuelled by high-level talks in Maryland, Damascus has not yielded the concessions on the Golan question for a deal to be struck in the near future: nor has Israel acquired sufficient belief in its foe's bona fides. By inclining himself towards early elections, Mr Peres may have admitted defeat on the Syrian front — for the moment. Let us go to the polls, he may now calculate: let us win, and then think about Syria over the next four years. It is a calculation worth making: and few do their sums with greater fluency.

TIGER, TIGER, BONDING TIGHT

Even cuddling carnivores can be a civil liberty

John Aspinall, the maverick zoo owner, has won his appeal against a council ban on his keepers entering tigers' compounds. In so doing he has become an unlikely champion of civil liberties.

Mr Aspinall's two private zoos — Port Lympne and Howletts — do not have impeccable safety records. He has already lost four keepers, and the death of Trevor Smith caused considerable concern over whether the conditions in which the animals were kept were safe for both keepers and the general public. At a time when local authorities have been vigorously criticised for failing to enforce preventive measures — as, for example, in the case of children at risk — Canterbury City Council could hardly be faulted for drawing attention to such a case.

All those who sought employment in Mr Aspinall's zoos were, however, fully aware of operational policies encouraging keepers to form close bonds with tigers. Those who volunteered for such work relished the prospect of intimate contact with these magnificent, if potentially lethal, beasts. The issues at stake were less about exploitation of workers than about freedom of choice.

Mr Aspinall can afford to lay down the law in the multimillion-pound kingdoms of his creation. But those who work for him must also be allowed to choose. To risk personal safety in favour of intensity of experience is a sacrifice many welcome. Hang-gliding or motor-racing is fraught with hazard, but voluntarily and legally indulged in by thousands in their leisure

time. For keepers who wished to celebrate the richness of life through a direct relationship with predatory beasts, an estimated single accident in every 80,000 contacts has not appeared too great a gamble.

A bond of trust between keeper and tiger is paramount in any successful breeding programme — an urgent consideration in the case of a species which pads the brink of extinction. It is claimed that lower stress levels among the tigers lead to more natural mating patterns and a higher survival rate of cubs. Over the last 15 years, almost 400 cubs have been born to some 30 Indian and Siberian tigers kept in Mr Aspinall's zoos — an impressive record.

An immediate result of the tribunal's findings is that certain added safety mechanisms will be introduced. That is a minimum response to public concern. A document is currently being drawn up laying down stricter formal guidelines to reduce the risk of injury. A second member of staff, in radio contact with the front office, will always be on hand when a keeper enters a tiger's enclosure. All staff, including Mr Aspinall himself, will need written permission before going into a pen.

Within such strictures British volunteers should be allowed to practise the eccentricities for which they have long been known — even if this involves cuddling carnivores. As for whether "the tigers of wrath are wiser than the horses of instruction", we have the right to decide for ourselves.

Pointed advice for the politicians

From Mr Dennis Berry

Sir, In the run-up to the general election all politicians would do well to remember how low they already stand in the public esteem before they descend further by mud-slinging. The public I feel sure wants to hear about policy and how the various parties propose to deal with problems in education, the National Health Service, crime, unemployment and the like.

We do not want petulant assertions about the failings of the other parties, such as Michael Heseltine's current claim that Labour is "on the side of the villain", or John Major's theme about "double standards" (reports, January 29, 30). This form of electioneering insults our intelligence, is no substitute for policy and, in fact, implies the very absence of it.

After a lively performance at Question Time last week, John Major commented how much he enjoyed the hustings (reports, January 26). An ability to come up with sharp-witted soundbites and score shallow points is not sufficient, however, to run the country successfully, as we have seen. The public will be looking very closely in the coming months for politicians who put forward policies with sincerity and honesty rather than shrill posturing.

Yours faithfully,
DENNIS BERRY,
11 Fairacre,
Acacia Grove, New Malden, Surrey.
January 30.

From Mr R. Christopher Taylor

Sir, If, as it seems, we are to suffer a protracted election campaign, is it too much to hope that one party or other might be persuaded to demonstrate its qualifications to stand, on the basis that its policies are appropriate for a country it knows, understands and cares for?

This would make a refreshing change from the increasingly tiresome assertions of "Vote X", because it's better than "Y".

I am weary of confrontational politics, and suggest that many voters would welcome the option to put their mark on the ballot paper in a box named "None of the above".

Yours faithfully,
R. CHRISTOPHER TAYLOR,
The Old Farmhouse, Church Road,
Bransford, Lincolnshire.
January 30.

From Mr Ian M. T. Sandison

Sir, At the current level of MPs' remuneration (report, January 31) there is no shortage of applicants and, as is normal in the market place, people of widely differing abilities are selected. Judging by the demeanour of MPs, the money they are paid does not diminish the opinions they hold of themselves.

Why pay more?
Yours faithfully,
IAN M. T. SANDISON,
Platten, Kiermuir, Angus.
January 31.

From Dr David O'Reilly

Sir, Our MPs have made it clear that it is we taxpayers who are responsible for their behaviour at Westminster. It seems that we have been paying peanuts with inevitable results.

I remain, your obedient servant.
DAVID O'REILLY,
West Suffolk Hospital,
Hardwick Lane,
Bury St Edmunds, Suffolk.
January 31.

Floral tributes

From Mr Brian North Lee

Sir, Increasingly, death notices stipulate either no flowers or family flowers only (19 out of 37 today). This may indicate that the money spent on such tributes, which can be of variable quality, would be better employed in assisting a charity or worthy cause.

Since, however, friends who send donations may also wish to offer a tangible token of affection at a funeral, could not a single flower or a tiny posy, whether from the florist or the garden, become an accepted alternative means of expressing love, affection or respect when denied a bigger floral statement?

Yours sincerely,
BRIAN NORTH LEE,
32 Barrowgate Road, Chiswick, W4.
January 30.

Stamps of approval

From Mr Patrick Whitworth

Sir, The President of the Institute of Physics is absolutely right (letter, January 29). Electrons should be displayed on thematic stamps.

The exercise could save the Royal Mail money. A stamp would need to be less than one millimetre square to display more than a million billion of the little bighorns, life size and in action. The depiction of a sub-post office in the corner would not reduce their number.

Yours faithfully,
PATRICK WHITWORTH,
The Mount, Ferness,
By Nairn, Highland.
January 30.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Results of 11-plus curriculum tests

From Mr D. C. Bruns

Sir, As a former schoolmaster for 35 years, I wonder why politicians, journalists and "educationists" are kicking up such a fuss about the results of the 11-plus curriculum tests (reports, January 26). The tests are based on what the average 11-year-old should be able to achieve. If the tests are properly constructed (and they should be by now) then we shall find about 50 per cent of the given population above the median (ie, average) and 50 per cent below it.

If we allow a margin of error of plus or minus 5, which is normal in testing, then we find that in English and maths, 11-year-olds are performing much as we would expect.

The curriculum tests do not have a pass mark built into them: results are merely compared to a national mean. Therefore, we cannot say that 50 per cent of pupils have "failed" the tests — only that 50 per cent are below average, which is normal and inevitable.

What is of much more concern are the results for science. If 70 per cent of candidates are above the national mean, then the tests are far too easy. The same applies to the tests at several plus and, perhaps, explains why the results at 11-plus are apparently less successful.

Yours etc,
D. C. BRUNS,
11 Grange Park,
Maghull, Merseyside.
January 26.

From the Director of Education,
Incorporated Association of
Preparatory Schools

Sir, In the argument over the significance of, and reasons for, apparent under-achievement of 11-year-olds, it might be worth reflecting on the experience of independent preparatory schools using national curriculum tests for 11-year-olds (Key Stage 2) last year. Although not so regularly, an increasing number of prep schools are making use of these tests and this

association is keeping the School Curriculum and Assessment Authority informed of their reactions.

Most of the prep schools using the tests found them useful and found that they largely confirmed their own teachers' assessments, and most of them also reported test results higher than those reported nationally. There are, in my view, three reasons for this high achievement.

The first is specialist teaching: prep schools employ specialist teachers to teach Key Stage 2, at which level it is virtually impossible for one teacher to teach the full range of subjects. Secondly, prep schools have smaller classes: at the primary level, there is no doubt that class size does matter. And finally, prep schools and the parents who send their children to them have very high expectations.

Yours faithfully,
DAVID HANSON,
Director of Education,
Incorporated Association of
Preparatory Schools,
11 Waterloo Place,
Leamington Spa, Warwickshire.

From Lord Jakobovits

Sir, Fact one: With some 170,000 divorces a year in the United Kingdom, we are now branded as "Europe's divorce capital", leading to nearly half of our children being raised in broken homes.

Fact two: Many children aged between seven and 16 now spend up to nine hours a day at weekends and four hours on school days watching television (Business Development Partnership Schools Research, 1995).

I suspect that these two facts have a far greater bearing on the low educational levels of so many schools than any of the point-scoring arguments advanced with almost ritual partisanship by our politicians on all sides.

Sincerely yours,
JAKOBOVITS,
House of Lords,
January 30.

BBC and regions

From the Chairman of the BBC

Sir, May I correct the statement made in yesterday's letter signed by the chairmen of Voice of the Listener and Viewer, Broadcasting for Scotland and the Broadcasting Campaign for Wales that the BBC has "blocked" the creation of what they refer to as "an English Regional Forum". That is not the case.

The English National Forum, comprising the chairmen of the ten regional advisory councils, exists precisely to put the voice of the English regions at the heart of BBC affairs. The BBC proposed it, created it and fully supports it.

The forum is now two years old and has made an excellent start, under the vigorous leadership of Mrs Margaret Spurr, the governor nominated to chair it. The governors and the forum have already conducted two annual reviews of the quality of BBC regional programmes in England. I am confident, not least because I have seen it at

work, that the forum will make an important contribution to the BBC and its programmes in the years ahead.

May I also assure Mr Neil Fraser, treasurer of Broadcasting for Scotland, whose letter you published alongside, that the BBC will indeed consult widely before publishing its Statement of Pledges to audiences. What we have published so far is precisely what we were asked to publish — a broad outline.

Over the next three months we will conduct a thorough process of public consultation and, of course, seek the view of the three National Broadcasting Councils and the English National Forum. The governors will publish our pledges in the summer and report annually on the BBC's performance in meeting them.

Yours faithfully,
MARMADUKE HUSSEY,
Chairman,
British Broadcasting Corporation,
Broadcasting House,
Portland Place, W1.
January 31.

Economic policy

From Mr James Chapman

Sir, I can only conclude from Anatole Kaletsky's comments on Will Hutton's *The State We're In* (a "spectre haunting Labour", January 29) that Mr Kaletsky and myself must have read a different book. Far from being "suffused with a hatred of capitalism", Hutton accepts that capitalism is the most efficient method of allocating resources in a modern economy, but sees the Japanese or German models, with their emphasis on investment and long-term objectives, as more productive than the short-term approach prevalent in Britain.

Such a view is now being accepted across the political spectrum. Indeed William Rees-Mogg, hardly a noted Labour supporter, argued on the same day against the current City practice of "short-term speculation, greedy fees, and industrial restructuring by non-industrial fund managers". I thought for a moment it was a quote from Hutton.

Yours faithfully,
JAMES CHAPMAN,
186 Bradford Road,
Combe Down, Bath, Avon.

From Mr Will Hutton

Sir, Despite Anatole Kaletsky's account of *The State We're In*, this author does not hate capitalism — rather the book calls for its dynamism and proven wealth-generating properties to be harnessed for the common good.

Times readers should also know that I share his view that macro-economic policy has been too restrictive in Britain and mainland Europe, hence the attempts in the book to demonstrate the superiority of Keynesian economics to current orthodoxies.

As for the accuracy of its description of contemporary Britain, it seems to have passed the market test by which presumably Anatole Kaletsky sets so much store. Or is the book's unexpected success another case of market-failure — and its buyers deluded in thinking that it paints a picture that they recognise even if he does not?

Yours sincerely,
WILL HUTTON,
(Assistant Editor),
The Guardian,
119 Farringdon Road, ECI.
January 29.

Premium Bond cuts

From Mrs Caroline Clarke

Sir, Is this just another example of the Government's petty-mindedness? Apparently it is fine for us to invest our money in lottery tickets in order to fund those areas which the Government no longer sees fit to finance: but now the small pleasure we Premium Bond holders have each month in waiting to see if the postman will deliver us "one of those letters" is to be reduced due to a drop in interest rates (reports, January 26, 27). An odd way to behave after lavish advertising campaigns in the autumn to persuade the public to invest in Premium Bonds.

Perhaps bond holders should invest elsewhere, thus depriving the Government of large sums of money in its National Savings scheme.

Yours faithfully,
CAROLINE CLARKE,
Paul's Farm,
Water Lane, Hawkhurst, Kent.

Strangeways payouts

From Mr Richard Walduck

Sir, Should not riot compensation to prisoners (report, January 27) be frozen until any uncompensated victims of their crimes have been notified of the possible opportunity to seek recompense?

Yours faithfully,
RICHARD WALDUCK,
Lower Woodside,
Hatfield, Hertfordshire.

From Mr Harry Jackson

Sir, I am traumatised by your Strangeways report. You will be hearing from my lawyers.

Yours faithfully,
HARRY JACKSON,
141 Belvue Close,
Northolt, Middlesex.
January 27.

Business letters, page 27

Doubts on causes of global warming

From Mr Alfred Doll-Steinberg

Sir, Before succumbing to panic, Dr Russell Jones (letter, January 27) should recall that, computer models notwithstanding, climatic forecasts have a notoriously poor record.

The world also grew warmer in the period 1880-1940, when, had anyone thought of measuring them, "over half the Antarctic ice sheets" probably also disintegrated. Yet over the following 20 years from 1940 to 1960 temperatures dropped enough to provoke predictions of an impending ice age. Probably in this period the ice sheets were restored.

A sense of proportion is helpful. According to *The Economist* (December 23, 1995) all man's activities generate 10 trillion watts of energy; the Sun provides us with 175,000 trillion watts. And plants absorb 200 billion tonnes of carbon dioxide (the principal "greenhouse" gas) per year.

It is rather hard to believe therefore that mankind's puny efforts really are capable of having the dire effect on the global eco-system that the doomsters foresee.

Yours faithfully,
ALFRED DOLL-STEINBERG,
18 Holly Walk, NW3.
January 27.

From Mr John C. Trenchard

Sir, Many "experts" appear to regard any global warming that may be taking place as exclusively the result of mankind's activities.

How came it about, I wonder, that by some 10,000 years ago the glaciation of the last ice age (or, according to some, the last glacial period of the present ice age) had melted; and how, according to sediment cores from Loch Ness (Science briefing, January 2, 1995), some 5,000 years ago Northern Scotland had a Mediterranean climate, in both cases assuredly without any interference by the human race.

Yours faithfully,
JOHN C. TRENCHARD,
Trees,
Swanpool, Falmouth, Cornwall.
January 27.

Fire at La Fenice

From Mr Michael Davies

Sir, Anybody who knows Venice will know what a loss the fire at La Fenice will make to that city (reports, January 31). Anybody who loves opera will understand La Fenice's relevance to the Italian operatic legacy.

I am heartened, though, by reports that there are already plans to rebuild it at a cost of £200 million. This could get 22 opera houses for the Cardiff Bay Opera House Trust.

Yours sincerely,
MICHAEL DAVIES,
59 Drayton Gardens, SW10.
January 31.

Gluts and shortages

From Mr Tony Weston

Sir, The complaint of your correspondent, Mr Alan Cousan (letter, January 29), about the surfeit of estate agents and lack of a greengrocer in his community, prompts me to suggest a combination of the two trades. The advantages are obvious: many more visitors to the shop, browsers and buyers, and a much healthier cashflow.

There are precedents. My copy of Sketchley's Bristol Directory of 1775 lists, inter alia, a Mr James Bazley, "glover, undertaker, hosier, orange merchant and parchment maker". I then find a Mr David Cherry, "auctioneer and cabinet maker"; Mr Arthur Palmer, "woollen draper and lottery office keeper"; Mr John Rich, "hosier and tea dealer"; James Parsley, "barber surgeon and publican"; and, oh delight of delights, William Lewis, "gingerbread baker and toy-maker".

How much more interesting shopping could become.

Yours faithfully,
TONY WESTON,
The Old Garden, Lower Langford,
Nr Wrington, Somerset.
January 29.

Lottery winners

From Mr Peter Gordon

Sir, I suspect that organising the holiday rota in the London Borough of Camden's homeless persons unit will be more than usually difficult this year (report, January 30).

Yours faithfully,
PETER GORDON,
62a Christchurch Road,
Bournemouth, Hampshire.
January 30.

Choice items

From Mr Ralph Thorpe

Sir, Your "Film choice" for Friday, January 25 (Vision, January 20), included the following in the recommendation: "... obscenity ... whores, drug addicts, pimps, posers, teenage rapists and winos ... prostitute mugged and robbed ... transvestite hustling ... the sordid landscape ...". On the basis of what criteria is the "choice" made?

Yours faithfully,
RALPH THORPE,
Durlston Cottage,
The Downs, Swanage, Dorset.

هشتم من الفصل

OBITUARIES

JERRY SIEGEL

Jerry Siegel, creator of Superman, died on January 28 aged 81. He was born on October 17, 1914.

JERRY SIEGEL was the creator of Superman, that quintessentially all-American superhero. The only member of his doomed race to survive the destruction of the planet Krypton, Superman possessed divine powers. He could arrest the orbit of the Earth with one hand, bounce bullets off his chest and leapfrog buildings with a single bound. He was capable of shrugging off an army of monsters, dinosaurs and robots as though they were tiny insects.

Unlike more morally complex superheroes, Superman only ever deployed his talents to do good — to save the life of a child falling from a window, for instance, or to stop muggers in their ghastly crimes. He lived his daily life in the guise of his alter ego Clark Kent, the nerdy, bespectacled reporter of the *Daily Planet*. But as Superman, flying past skyscrapers with the speed of a bullet, he was resplendent in a skintight blue bodysuit and red cape.

Superman's popularity came to eclipse that of every other superhero in the comic book genre, and he showed great resilience to the whims of fashion. Partly, this was because he moved with the times — in the 1960s and 1970s, for example, he displayed marked "new man" tendencies. But his exploits also translated well into television and cinema, which took over from comic books as the main source of children's entertainment in the 1950s.

Despite the phenomenal success of his brainchild, Siegel made very little money out of Superman. The story of how he and his friend Joe Shuster, the artist who put Siegel's ideas down on paper, had created the comic book hero, and then sold their creation to Action Comics in 1938 for a derisory sum has become a cautionary tale among all cartoonists.

Jerry Siegel was a native of Cleveland, Ohio. He was educated at Glenville High School, where he showed a talent for writing and a love of science fiction. There he met Joe Shuster, an artistic boy, with whom he collaborated on a number of comic strip ideas for the school magazine, *The Glenville Torch*. After they had left school, Siegel and Shuster turned professional.

This was in the early 1930s, the start of the Golden Age of comics, when superheroes like Doc Savage and G-8 were making tidy profits for comic book publishers. Siegel originally



toyed with the idea of a Superman who was a bald, mad scientist. Then one sleepless night in 1934 he had a vision of the entire Superman legend, beginning with his birth to Jor-El II and Lara Lor-Van on the planet Krypton; his subsequent descent to Earth in a rocket and adoption by a farming couple, the Clarks of Smallville; his decision to devote his superhuman powers to assist humanity; and the triangular relationship of Kent, Superman and Lois Lane. Siegel was considering, at the time, becoming a journalist. For this reason he decided to make Clark Kent a reporter on the *Daily Planet*, Metropolis, so that he would be among the first to learn of crimes and disasters.

In fact, there was a large element of wish-fulfilment about Superman as far as Siegel was concerned. He was not unlike Clark Kent himself, bookish and bespectacled, and he dreamt of becoming attractive to women by the doing of daring and heroic deeds.

Siegel and Shuster took the first Superman strips to New York but they were turned down by various publishers. "Too fantastic for our readers," was the consensus. They made a living by selling other ideas. Then, in 1938, they heard that a new comic book was in the pipeline and submitted the idea of Superman to its editors again. This time it was accepted. Action Comics, a subsidiary of DC Comics, was launched in June 1938, with a front cover depicting Superman throwing a villain's car over his head. Siegel and Shuster were paid \$130 between them for the rights of Superman, and were then paid strictly as freelance contributors.

Under DC's control, Superman became an instant success, and not only in comic book form. Between 1941 and



Jerry Siegel, left, and the first edition of Action Comics

1943 there were 17 animated cartoons — probably the finest adventure cartoons ever produced. Kirk Alyn became the first screen Superman in 1948, and there was a six-year television series with George Reeves in the 1950s. Christopher Reeve starred in a lavish film version in 1978. Rare copies of the first issue, which had originally cost ten cents, were now changing hands for astronomical sums.

But Siegel and Shuster had seen none of the money. They had worked on more episodes of Superman in the early 1940s but by 1947, staggered at the sums DC was making from Superman, they brought a suit against their publishers to share in the profits. They lost but continued to bring more suits, spending the next thirty years in litigation. Eventually Shuster was forced to take work as a messenger in

Manhattan, and Siegel as a mail clerk in Los Angeles.

Their sorry plight was brought to light by the National Cartoonists Society in 1975, when news broke that Warner had paid \$3.5 million for the rights to a new Superman film. Neither had earned a penny from Superman since the late 1940s. An out-of-court settlement was then reached, and the two were promised \$20,000 a year each for life. The experience had been bitter for both men, and years later Siegel said that just the sight of a Superman comic book made him almost physically ill.

Shuster moved to Los Angeles later and lived only a few blocks from Siegel. He died in 1992. Siegel is survived by his wife Joanne, their daughter, and a son by a previous marriage.

ERIC COUSINS

Eric Cousins, former racehorse trainer, died while swimming on holiday in Barbados on January 25 aged 74. He was born on December 12, 1921.

ON THE Turf handicaps are meant to give every horse in a race an equal chance of winning. Nevertheless, in the 1960s, when Eric Cousins had a runner, it did not work out quite like that.

On his gallops at Tarporley, Cheshire, Cousins had a magical skill in preparing and improving horses for big handicap events as well as the patience, sometimes over months, to make sure they were ready for one day and one day alone. And invariably the trainer and his owners were rewarded not only with prize money but also from the bookmakers' satchels. Judged in this light, Cousins can be ranked with such trainers as "Ary" Persse, Cecil Boyd-Rochford and Ryan Price as among the shrewdest of his profession this century.

His outstanding feat was undoubtedly his success in four seasons in a row at Kempton Park in the Great Jubilee Handicap, with Chalk Stream (1961), Water Skier (1962-63) and Commander-in-Chief (who had captured the Cambridgehire the previous year) in 1964. But Chalk Stream had a significance beyond the "Jubilee" alone. The gelding had been bought in 1960, won the Liverpool Autumn Cup (backed significantly from 100-8 to 9-1), and marked the introduction of Robert Sangster, the present owner and bloodstock dealer, to what became a remarkable racing career. Thereafter Cousins trained many winners for Sangster and they remained lifelong friends.

Eric Cousins came from a farming background in Lancashire. During the war he served with the RAF as a fighter pilot and reached the rank of flight lieutenant. In 1950, graduating from the



Eric Cousins with Commander-in-Chief in 1965

hunting field, he became an amateur rider under National Hunt Rules. Between then and 1957 he rode 50 winners, no fewer than eight of these successes being on that lively veteran and favourite of the crowds, Craggmore Boy, who, owned and trained by the Cousins family, was not retired from racing until the astonishing age of 22.

Cousins, meanwhile, had in 1954 taken out a full licence to train both on the flat and over jumps (he had previously held a permit). His first significant victory came in the Assot Stakes three years later with Bonhomie.

Then began his great days: the Lincolnshire Handicap two seasons running with Johns Court and Hill Royal (1961-62); the Ayr Gold Cup

with Dawn Watch (1960), Kamundu (1965) and Brief Star, who carried the Sangster colours, in 1969. The Victoria Cup came his way with Tudor Treasure in 1963, and both the Wokingham and Portland Handicaps in 1966 with, respectively, My Audrey and Audrey Joan. As well, of course, as the Great Jubilee and the Cambridgehire.

Important handicaps apart, Cousins sent out two high-class fillies in Ludham, third to Pia in the 1967 Oaks, and Shellsbrook, third to Mysterious in the 1000 Guineas six years later. In 1977 he retired and handed over the stable to one of his sons in order to concentrate on farming and acting as a bloodstock agent.

He is survived by three sons and a daughter.

MAJOR-GENERAL ASHTON WADE

Major-General Ashton Wade, CB, OBE, MC, Royal Corps of Signals, died on January 16 aged 97. He was born on March 13, 1898.

ASHTON WADE's career matched his own extraordinary versatility. He served in three different Corps of the Army — Artillery, Engineers and Signals; fought with distinction in both World Wars; proved himself an able staff officer and military administrator; commanded in India and Malaya; played a part in German war crimes trials; and, after he retired from the Army, led the way in telecommunications engineering for Independent Television.

Douglas Ashton Loft Wade was educated at St Lawrence College, Ramsgate, and the Royal Military Academy, Woolwich, before being commissioned into the Royal Regiment of Artillery in 1916.

He was severely wounded on the Western Front, but later transferred to the Italian theatre where he began to specialise in telecommunications. With the 14th Corps Signals Company in Lord Cavan's 10th Army on the Pave, he won his MC and in September 1918 was again wounded during the preparations for the massive Battle of Vittorio Veneto, which was to bring the Austro-Hungarian Empire to the ground.

In 1919 he went to southern Russia as a signals officer with the British military mission to Denikin's anti-Bolshevik Russian Army in the Ukraine. After his return to England he took a degree in mechanical sciences at Clare College, Cambridge. While he was there, the Royal Corps of Signals was formed; a founder member, he influenced its



early years, as an instructor. In 1935 he was sent out to India, serving first on the intelligence staff and then on the North West Frontier as the administrative staff officer of the Baluchistan and then Western Districts.

He arrived back in England just in time to survive the retreat to Dunkirk as GSOI on the British Expeditionary Force signals staff. He held the same appointment at GHQ Home Forces during the Battle of Britain period, but in the spring of 1941 he returned to India with the 2nd Division as its senior administrative staff officer.

After the Japanese invasion of Burma, Wade was appointed Deputy Adjutant General in GHQ India. He held this key appointment for two years, grappling with the complex personnel problems of the multinational armies in India and Burma.

His reward came in 1944 when he was given command of the Madras area, which he

held until the Partition of India in 1947. During this command he was also a member of the Indian Armed Forces Nationalisation Committee, whose task was to plan the separate Indian and Pakistani armies. His last command appointment was GOC Malaya District.

He returned to England just before the communist terrorist campaign began and was appointed president of the board set up to review the sentences of war criminals tried in Europe. Subsequently he was a member of the military court which convicted Field Marshal von Manstein of war crimes.

Retiring from the Army in 1950, he joined the Foreign Office as telecommunications attaché at the British Embassy in Washington. Then, with Independent Television just starting up, he joined the Independent Television Authority as senior planning engineer in 1954 and went on from there in 1960 to be the IFA's regional officer for East Anglia. This led to his becoming technical consultant to the Cambridge Inter-University Research Unit, 1965-69, and to the WRVS Headquarters, 1970-75.

He held chairmanships of the Royal Corps of Signals Institution, 1957-63, of the South East Forum for closed circuit television in education, 1967-73, and of the Dunkirk Veterans' Association, 1967-74. His autobiography, *A Life on the Line*, was published in 1988.

His first marriage was in 1926 to Heather Mary Patricia Blumer, who died in 1968. In 1972 he married Cynthia Halliday (née Allen), who survives him, together with a daughter from his first marriage.

however, and her grandmother before her, Princess Beatrix may be expected to be Queen of The Netherlands in her very own way.

FUTURE QUEEN OF HOLLAND WAS BROUGHT UP IN EXILE

Amsterdam, Jan 31
The future Queen Beatrix of The Netherlands was born on January 31, 1938. She had barely been joined by her younger sister, Princess Irene, in 1939 when the Second World War broke out. Carried in poison gas-proof containers, the little girls were sent out of wartime Holland and taken first to England and then to Canada.

In Ottawa the young princess spent five carefree years living in an ordinary house, raised by her mother without any of the official fuss that is inevitable in a royal palace.

In September 1948, when her mother became Queen, Beatrix became Crown Princess at the age of 10. She went to secondary school paying special attention to subjects like sociology and politics. After her graduation she registered at Leiden University to study legal science, parliamentary history, politics and sociology.

In June 1961, at the age of 23, she sat her doctoral examinations.

At the age of 25 Princess Beatrix left her parents' palace and set up house in a small castle nearby, known as Drakenstein. Two years later she met

Herr Claus von Amsberg, a German diplomat 12 years her senior. Her marriage in 1966 led to 27 in a year full of unrest.

ON THIS DAY

February 1, 1980

When Queen Beatrix of The Netherlands succeeded her mother Queen Juliana in 1980, it was noted that she had had a very different upbringing from that of the former Queen.

that the Queen personally welcomed the independence of Indonesia. Her reign was also marked by personal tragedy, most recently over the capture of her husband, Prince Bernhard, for his involvement in the Lockheed bribery affair.

In contrast to her mother the formidable Queen Wilhelmina who was deeply respected by her subjects, Queen Juliana is genuinely loved by a large portion of the population for her simple and unassuming ways.

The new Queen Beatrix is a woman who acts with decision in contrast to Queen Juliana, who seems less sure of herself. Some observers have wondered whether she will adhere just as stringently to the pattern of constitutional monarchy as her mother has. Like her mother

DUTCH QUEEN MAKES WAY FOR HER DAUGHTER

From Robert Schull

Amsterdam, Jan 31
Queen Juliana of The Netherlands, tonight announced that she would abdicate on April 30, her seventy-first birthday, in favour of her daughter, Crown Princess Beatrix.

In a three-minute speech on radio and television on her eldest daughter's forty-second birthday, the Queen said: "To everyone who grows older, sooner or later, the other fact of declining energies appears, which no longer make it possible to fulfil one's task as before. A moment then arrives when it becomes irresponsible to continue that task. I thus feel that, for me, the moment is approaching when I must lay down my task as your Queen."

The announcement came as a complete surprise: There were rumours last year that Queen Juliana would abdicate on her seventieth birthday or at the latest after her speech from the throne last September. But these two events passed without the slightest indication that the Queen had any intention of stepping down and amidst official assurances that she intended to carry on.

It thus had been generally assumed that the Queen would not abdicate for several years in order to allow her daughter to devote more time to her family.

The reign of Queen Juliana, who ascended to the throne in September 1948, marked the end of the Netherlands as a colonial power. It is known

PROFESSOR R. P. BELL

Professor R. P. Bell, FRS, physical chemist, died on January 9 aged 88. He was born on November 24, 1907.

RONALD PERCY BELL, a pillar of Oxford chemistry for generations of undergraduates and a devoted Balliol man, was praised away in 1967 to become the first professor of chemistry at the new Stirling University. Three years earlier he had failed by a whisker to become Master of Balliol, losing out to the historian Christopher Hill. Balliol's loss was Stirling's gain, under Principal Tom Cottrell. Bell established a chemistry department of high quality before he retired in 1975.

R. P. Bell was the kind of man better suited to initials than to a Christian name. Small in stature and dry in delivery, he made no special

effort to make chemistry appear an attractive or straightforward subject. His undergraduates were subjected to a term's initiation in which they were made to immerse themselves in a series of Victorian papers on the determination of the atomic weight of silver.

Precision, clarity, and attention to detail were demanded, and failings were annotated in tiny pencil notes. His manner in the lecture theatre was equally uncompromising, but those who stayed the course did so because he was a chemist of distinction, not because he believed in easy accessibility.

Bell came to Balliol in 1924 as an exhibitor, and apart from a spell between 1928 and 1932 when he worked in Copenhagen with J. N. Bronsted, stayed there until 1967. He succeeded Sir Harold Hartley



PERSONAL COLUMN

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1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 105

NEWS

Judge's warning on sentences

■ The Home Secretary's tougher sentencing policy will lead to more murders as rapists and other violent criminals decide that it is not worth leaving their victims alive, one of Britain's most senior judges said.

Adding his voice to a chorus of judicial dissent, Lord Justice Rose also criticised Michael Howard's proposals on minimum sentences for some offences as an undesirable fetter on judges' discretion to tailor the punishment to the crime. Page 1

Soldiers overcome by LSD experiment

■ Soldiers who took part in secret chemical warfare trials in the 1960s were dosed with LSD tablets that incapacitated disciplined units. Some officers could not control their men because they were laughing uncontrollably, according to declassified Ministry of Defence documents. Page 1

Nolan suggested

The Labour leadership said that they will accept any changes to Commons salaries recommended by the Nolan Committee, putting heavy pressure on John Major over MPs' pay. Page 1

Royal 'listener'

A man who allegedly tape-recorded the Duke of Edinburgh speaking on a mobile telephone was interviewed by police and suspended from his job. Page 1

Lorry bomb

At least 55 people died when a lorry bomb tore apart the centre of Colombo, the Sri Lankan capital, in one of the biggest attacks by the Tamil Tigers in 13 years of civil war. Page 15

Ecstasy inquest

The parents of Leah Bets told an inquest of their frantic attempts to keep her alive as she slipped into a coma after taking an Ecstasy tablet. Page 3

Finger art

Museum curators and collectors have been astonished by the discovery that Edgar Degas, the 19th-century master, painted dozens of his works with his fingers and thumbs. Page 5

Ducks doomed

Hundreds of ruddy ducks are to be shot on lakes and ponds in Britain after a rethink by John Gummer, the Environment Secretary. Page 6

Policeman tries million dollar kick

■ A New York police sergeant will win a million dollars on Sunday if, during the break at an American football final in Hawaii, he manages to perform a successful 35-yard place kick. Michael Volino, 35, won the opportunity in a lucky draw run by a chocolate company. He will have just one chance but in a practice session he missed 11 out of 12 times. Page 1

Hot money

Farmers earned £1 billion more last year than in 1994, partly because of the long hot summer. Page 7

Firing squad

The Buddhist monk who murdered the British backpacker Jonathan Masheder in a cave in Thailand was sentenced to death by a firing squad. Page 8

Island worry

Islanders on Eigg in the Inner Hebrides are becoming increasingly doubtful that their mysterious new German laird will deliver his promise to invest millions of pounds in their community. Page 9

3m French jobless

Unemployment in France climbed sharply again during November and December, pushing the number of jobless above the politically damaging figure of three million. Page 12

University violence

The violent scenes at the University of the Western Cape in the past few days have produced dramatic television footage reminiscent of the era of apartheid. Page 13

Jubilant Democrats

The Democrats celebrated victory in a Senate election in Oregon and cited the result as evidence that America has soured on the Republican Revolution. Page 14



The Prince of Wales meeting rappers Mick and Ricky during a visit to a community project at Dudley, West Midlands

BUSINESS

Building society: Three million qualifying members of Alliance & Leicester will receive an average £900 payout in a free share distribution in April. Page 23

Politics: Sir Terence Conran, founder of the Habitat chain, declared his support for the Labour Party and his belief that it will win the next election. Page 23

Railtrack: Lovingly shot images of a "ghost railway", unsullied by a single train, will form the centrepiece of the £4 million television advertising campaign for the stock market flotation. Page 23

Markets: The FT-SE 100 rose 24.0 to 3759.3. Sterling rose from 83.1 to 83.3 after a rise from \$1.5044 to \$1.5110 and from DM2.2411 to DM2.2476. Page 26

SPORT

Football: Bryan Robson, the Middlesbrough manager, is to be offered the chance to succeed Terry Venables. Page 44

Rugby union: The International Rugby Football Board has demanded that member unions adhere to a 180-day player eligibility regulation so that the change from amateurism to professionalism can be effectively managed. Page 44

Crickets: The decision to stage the World Cup in the Indian sub-continent looked increasingly ill-fated after the bomb blast in Colombo combined with other political problems. Page 42

Racing: Royal Hong Kong Jockey Club, the dominating force in the colony's sporting life, is to drop "Royal" from its title. Page 39

ARTS

New films: The spirit of Victor Hugo is trampled as the eccentric French director Claude Lelouch turns *Les Misérables* into a 20th-century cinematic epic. Page 31

Rising star: Ingeborga Dapkunaitė, the Lithuanian actress who plays the title role in *Katka Ismailova*, is winning awards — and international fame. Page 31

Birthday telegram: One hundred years after its first performance, *La Bohème* remains the world's greatest operatic weepie. Page 32

Thumbs down: Simon Callow's RSC staging of the classic French film *Les Enfants du Paradis* is both overlong and unnecessary, says Benedict Nightingale. Page 35

FEATURES

Waking nightmare: New Yorker Lori Berenson has been sentenced to life for treason in Peru. Quentin Lents meets her parents. Page 17

Burning hell: Ron Lipsius describes the horror of the King's Cross fire. Now, with the £650,000 damages award given for his burnt hands, he feels he must find a way forward. Page 16

Vitamin warning: Do beta carotene pills actually threaten your health? A disturbing report. Page 16

Rich variety: Peter Jay wonders about a greedy KGB spy; Kate Hatfield on bisexuality and eroticism; Stephen Tumim studies the law and Matthew Parris catches *Moving Images*. Pages 34, 35

TRAVEL

Last look: Hong Kong is expecting a surge in the number of Britons keen to visit the colony before it is handed to China. Page 36

Taiwan's plight: and the US response to it are a proxy for American reliability in the entire region... What a shame if the weakest link turns out to be in Washington. — *Wall Street Journal*

France was persuaded by international anger to cut short its testing plans. China is much less likely to be similarly influenced. — *Los Angeles Times*

TODAY

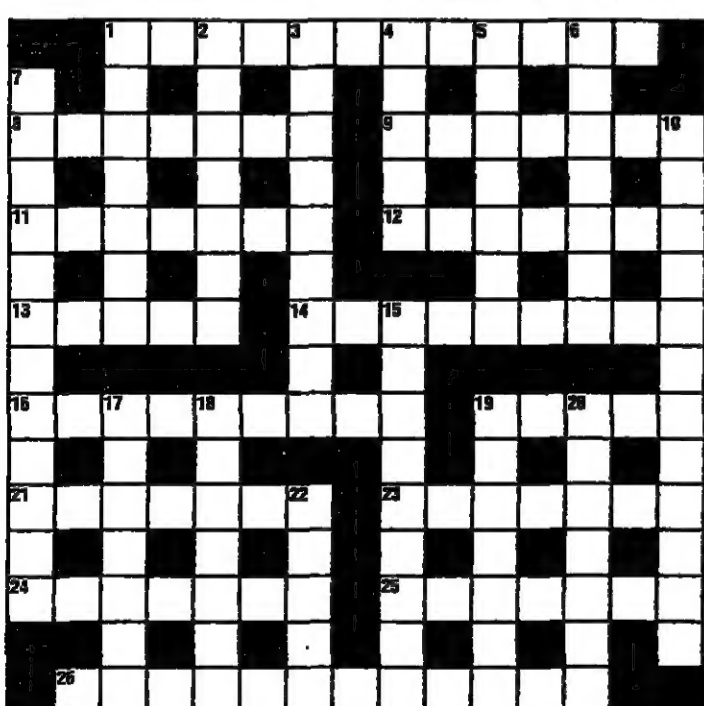
IN THE TIMES

IDOL HOPES
Why would-be pop stars are going back to school

EDUCATION
The great university fees debate: plus why state school pupils are rejecting Oxford and Cambridge entrance



THE TIMES CROSSWORD NO 20,079



- ACROSS**
- You formally support a party (6,5)
 - Being doubly depressed is lousy (3,4)
 - Emerge into the open, striking with part of whip (7)
 - Urbanity unfortunately lacking in second-class individual (7)
 - Note unlimited sums — nothing less is possible (7)
 - Hat protecting don's head, that's seen on Spanish character (5)
 - Niece's bos knotted in a bow (9)
 - Primate, English, has hidden aim — to reveal the chosen one (9)
 - Wife's cross about rude reference to offspring (5)
 - Fellows that aren't real soldiers abandoned duties (7)
- DOWN**
- Was rising fier a duck? (7)
 - Hymn tune in church, or a lesson (7)
 - Nurse appears to attack the kid's mother (5,4)
 - Prelude from Elgar's first in concert (5)
 - Men on board providing judgment and direction (7)
 - Galley slave and sailors executed in sultanate (7)
 - Brookplate, for example? (12)
 - One who asks repeatedly to be given money for bread (12)
 - River crustacean the French found abhorrent (9)
 - Such a sucker can be dispensed with in the lab (7)
 - Fix stable supports with it (7)
 - Vehicle overturned on green is wreck (7)
 - A walk over a mount (7)
 - Uplifting exercise taken by quiet, slender woman (5)

Solution to Puzzle No 20,078

GOBLET JOYSTICK
A O A C L N B A
T U N I A D R A P E R Y
E F V M P P R A
C R I S D S P L A Y L I C K
B O C A A
A B S L E S S T I D I N G S
S S W E O Q
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S G S E C O A
C H I C K E N C H E S T E R
A E I E K N I L
R O S E M A R Y S T I C K Y

Times Two Crossword, page 44

TIMES WEATHERCALL

For regional forecast, dial 0801 500 followed by code

Greater London	701
Kent, Surrey, Sussex	702
Devon & Cornwall	703
Wales, Gloucestershire, Somerset	704
Bedfordshire & Essex	705
Northampton, Cambridgeshire	706
West Midlands & Shropshire	707
Shropshire, Herefordshire & Worcestershire	708
Central Midlands	709
East Midlands	710
Lincolnshire & Humberside	711
Yorkshire & the Fens	712
Gloucestershire & Oxford	713
W & S Wales & Dorset	714
N & E England	715
Cumbria & Lancashire	716
S & W Scotland	717
W & Central Scotland	718
Edinburgh & Borders	719
E & Central Scotland	720
Grampian & E Highlands	721
W & S Highlands	722
Orkney, Shetland & Channel Islands	723
N Ireland	724

Weathercall is 35p per min (cheap rate). Also other times.

AA ROADWATCH

For AA traffic forecasts, dial 0300 400 followed by code

London & SE	201
London & SW	202
London & NW	203
London & E	204
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London & NE	400

HOURS OF DARKNESS

Sun rises: 7.40 am Sun sets: 4.49 pm

Moon rises: 2.14 am Moon sets: 5.14 am

Full moon February 4

London 4.49 pm to 7.29 am

Bristol 4.49 pm to 7.49 am

Edinburgh 4.49 pm to 8.27 am

Manchester 4.49 pm to 7.54 am

Penzance 4.49 pm to 7.56 am

FORECAST

General: it will be dry over most of England and Wales after a very frosty start. Southwestern areas will be more cloudy, perhaps with light rain.

Scotland and Northern Ireland will be largely dry with some sunshine, but cloud near eastern coasts.

London, SE & Central S England: dry, sunny first, cloud later. Wind easterly, light. Max 5C (41F).

E Anglia, E Midlands, E NW, Central N, NE England, Borders: dry with sunny spells. Wind easterly, mostly light. Max 3C (37F).

W Midlands, N Wales, Lake District, Isle of Man, SW Scotland, Glasgow, Argyll: dry, often sunny; frosty early and late. Wind east to northeasterly, light. Max 3C (37F).

CI Channel Isles, SW England, S Wales, N Ireland: cloudy, perhaps rain. Wind NE, light. Max 4C (41F).

Edinburgh & Dundee, Aberdeen, Cent Highlands, Moray Firth, NE & NW Scotland, Orkney, Shetland: mostly dry, cloudy. Wind northeasterly, light. Max 3C (37F).

Outlook: little change.

AROUND BRITAIN YESTERDAY

24 hrs to 5 pm: b=brilliant; c=cloud; d=drizzle; de=dust/dew; du=dust; f=fog; g=gale; h=hail; i=ice; m=moderate; n=rain; o=overcast; s=sunny; sh=snow; si=sleet; st=storm; t=thunder; w=wind; x=other

	Sun	Mon	Tue	Wed
Abertawe	14	3	37	
Anglesey	14	3	37	
Arundel	14	3	37	
Barnstaple	14	3	37	
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